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Contents

Federal Register

Vol. 83, No. 70

Wednesday, April 11, 2018

African Development Foundation

NOTICES

Meetings:

Board of Directors; Quarterly, 15550

Agriculture Department

See Animal and Plant Health Inspection Service

See Rural Housing Service

Animal and Plant Health Inspection Service

RULES

Rinderpest; Update of Communicable Animal Disease

Provisions, 15491–15495

Antitrust Division

NOTICES

Changes under the National Cooperative Research and Production Act:

ASTM International Standards, 15627

Centers for Medicare & Medicaid Services

NOTICES

Medicare Program:

Reconciling National Coverage Determinations on Positron Emission Tomography Neuroimaging for Dementia, 15572–15576

Civil Rights Commission

NOTICES

Meetings:

Kansas Advisory Committee, 15551

Coast Guard

RULES

Safety Zones:

Ohio River, Cincinnati, OH, 15499–15501

Commerce Department

See Economic Development Administration

See National Oceanic and Atmospheric Administration

Commodity Futures Trading Commission

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 15557–15559

Comptroller of the Currency

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 15678–15702

Defense Department

See Navy Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Delivery Schedules, 15571

Transportation Requirements, 15571–15572

Drug Enforcement Administration

NOTICES

Bulk Manufacturers of Controlled Substances; Registrations, 15633–15634

Decisions and Orders:

Witold Marek Zajewski M.D., 15630–15633

Importers of Controlled Substances; Applications:

Almac Clinical Services Inc., 15634

Lipomed, 15627–15630

Importers of Controlled Substances; Registrations, 15633

Economic Development Administration

NOTICES

Trade Adjustment Assistance; Petitions, 15551–15552

Employee Benefits Security Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 15635–15639

Energy Department

See Federal Energy Regulatory Commission

PROPOSED RULES

Appliance Standards and Rulemaking Federal Advisory Committee:

Intent to Establish Working Group for Variable Refrigerant Flow Multi-Split Air Conditioners and Heat Pumps to Negotiate Notice of Proposed Rulemaking for Test Procedures and Energy Conservation Standards, 15514–15517

Environmental Protection Agency

PROPOSED RULES

Air Quality State Implementation Plans; Approvals and Promulgations:

Iowa; Amendment to Administrative Consent Order, Grain Processing Corp., Muscatine, Iowa; Proposal, 15526–15528

Pesticide Petitions:

Residues of Pesticide Chemicals in or on Various Commodities, 15528–15530

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Data Reporting Requirements for State and Local Vehicle Emission Inspection and Maintenance Programs, 15560–15561

Episodic Releases of Oil and Hazardous Substances (Renewal), 15562–15563

Meetings:

Safer Choice Partner and Stakeholder Summit 2018, 15561–15562

Federal Aviation Administration

RULES

Airworthiness Directives:

Agusta S.p.A. Helicopters, 15495–15498

PROPOSED RULES

Airworthiness Directives:

Pacific Aerospace Limited Airplanes, 15517–15519
Pratt and Whitney, 15519–15521

Establishment of the Hawaiian Islands High and the

Hawaiian Islands Low Offshore Airspace Areas: Hawaii, 15521–15524

NOTICES

Aeronautical Land Use Waivers, 15666–15667

List of Units of National Park System Exempt from Provisions of National Parks Air Tour Management Act, 15667–15668

Federal Communications Commission

RULES

Universal Service; CFR Correction, 15502

PROPOSED RULES

Encouraging Provisions of New Technologies and Services to Public; Correction, 15531

Streamlined Reauthorization Procedures for Assigned or Transferred Television Satellite Stations; Modernization of Media Regulation Initiative, 15531–15534

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 15564–15568

Meetings:

North American Numbering Council, 15563–15564

Federal Deposit Insurance Corporation

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 15678–15702

Federal Energy Regulatory Commission

NOTICES

Environmental Assessments; Availability, etc.: Enbridge: Texas Eastern Transmission, LP; TX–LA Markets Project, 15559–15560

Institutions of Section 206 Proceedings and Refund Effective Dates:

Illinois Power Resources Generating, LLC, 15560

Petitions for Waivers:

Black Hills Shoshone Pipeline, LLC, 15560

Federal Financial Institutions Examination Council

NOTICES

Meetings:

Appraisal Subcommittee, 15568

Federal Highway Administration

PROPOSED RULES

National Network, 15524–15526

Federal Maritime Commission

NOTICES

Agreements Filed, 15568

Federal Reserve System

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 15678–15702

Privacy Act; Systems of Records, 15569–15571

Fish and Wildlife Service

RULES

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); CFR Correction, 15503

NOTICES

Endangered and Threatened Species Recovery Permits, 15593–15597

Permit Applications:

U.S. Endangered Species, 15597–15598

Food and Drug Administration

NOTICES

Abbreviated New Drug Applications; Approval Withdrawals:

Oxford Pharmaceuticals, LLC, et al., 15577–15578

Charter Renewals:

Bone, Reproductive and Urologic Drugs Advisory Committee, 15576

Guidance:

E11(R1) Addendum: Clinical Investigation of Medicinal Products in Pediatric Population; International Council for Harmonisation, 15581–15583

Meetings:

Preparation for International Cooperation on Cosmetics Regulation Twelfth Annual Meeting, 15576–15577

Requests for Nominations:

Individuals and Consumer Organizations for Advisory Committees, 15578–15581

Foreign Assets Control Office

NOTICES

Blocking or Unblocking of Persons and Properties, 15702

General Services Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Delivery Schedules, 15571

Transportation Requirements, 15571–15572

Health and Human Services Department

See Centers for Medicare & Medicaid Services

See Food and Drug Administration

See National Institutes of Health

See Substance Abuse and Mental Health Services Administration

Homeland Security Department

See Coast Guard

See U.S. Customs and Border Protection

Housing and Urban Development Department

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

Multifamily Energy Assessment, 15592–15593

Restrictions on Assistance to Noncitizens, 15593

Regulatory Waivers; Approvals:

Fourth Quarter, Calendar Year 2017, 15706–15725

Indian Affairs Bureau

NOTICES

Proclamations of lands as Reservations:

Sault Ste. Marie Tribe of Chippewa Indians, MI, 15598

Institute of Museum and Library Services

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:

2019–2021 IMLS Native American Basic Library Program

Notice of Funding Opportunity, 15643–15644

2019–2021 IMLS Native Hawaiian Library Program

Notice of Funding Opportunity, 15641–15642

2019–2021 IMLS Peer Reviewer Nomination Forms, 15642–15643

Interior Department

See Fish and Wildlife Service

See Indian Affairs Bureau
 See Land Management Bureau
 See National Park Service
 See Ocean Energy Management Bureau

International Trade Commission

NOTICES

Certain Light Engines and Components Thereof, 15627
 Investigations; Determinations, Modifications, and Rulings, etc.:
 Certain Network Devices, Related Software and Components Thereof (II), 15626–15627

Justice Department

See Antitrust Division
 See Drug Enforcement Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 National Crime Victimization Survey, 15634–15635

Labor Department

See Employee Benefits Security Administration
 See Occupational Safety and Health Administration

Land Management Bureau

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Application for Land for Recreation or Public Purposes, 15600
 Bureau of Land Management Resource Advisory Council Application, 15601
 Color-of-Title Application, 15598–15599
 Requests for Nominations:
 National Wild Horse and Burro Advisory Board, 15599–15600

Maritime Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Application for Conveyance of Port Facility Property, 15668
 Requests for Administrative Waivers of the Coastwise Trade Laws:
 Vessel ABLE ONE, 15673
 Vessel ANNE BONNY, 15671–15672
 Vessel CAPT EASY, 15670
 Vessel CHILLIN', 15674
 Vessel DESPERADO, 15674–15675
 Vessel ENVOLEE, 15670–15671
 Vessel FEARLESS, 15672–15673
 Vessel FUNSEEKER, 15671
 Vessel R and R, 15673–15674
 Vessel SERENITY, 15669
 Vessel SPELLBOUND, 15669–15670

National Aeronautics and Space Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
 Delivery Schedules, 15571
 Transportation Requirements, 15571–15572

National Foundation on the Arts and the Humanities

See Institute of Museum and Library Services

National Highway Traffic Safety Administration

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 15675–15676
 Petitions for Decisions of Inconsequential Noncompliance:
 AGC Glass Co. North America, 15676–15678

National Institutes of Health

NOTICES

Meetings:
 Center for Scientific Review, 15586
 National Cancer Institute, 15583–15585
 National Center for Advancing Translational Sciences, 15585
 National Heart, Lung, and Blood Institute, 15585
 National Institute of Allergy and Infectious Diseases, 15584, 15586
 National Institute of General Medical Sciences, 15583
 National Institute on Aging, 15584–15586
 National Institute on Alcohol Abuse and Alcoholism, 15584

National Oceanic and Atmospheric Administration

RULES

Fisheries of the Northeastern United States:
 Mid-Atlantic Fishery Management Council; Omnibus Acceptable Biological Catch Framework Adjustment, 15511–15513
 International Fisheries:
 Pacific Tuna Fisheries; Fishing Restrictions for Tropical Tuna in Eastern Pacific Ocean for 2018 to 2020, 15503–15511

PROPOSED RULES

Fisheries of the Exclusive Economic Zone off Alaska:
 Reclassifying Squid Species in BSAI and GOA, 15538–15549
 Fisheries of the Northeastern United States:
 Recreational Management Measures for Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2018, 15535–15538

NOTICES

Meetings:
 Fisheries of Gulf of Mexico; Southeast Data, Assessment and Review, 15555–15556
 Mid-Atlantic Fishery Management Council, 15552, 15557
 New England Fishery Management Council, 15552
 South Atlantic Fishery Management Council, 15554–15555
 Western Pacific Fishery Management Council, 15553–15554
 Takes of Marine Mammals Incidental to Specified Activities:
 Alaska Liquefied Natural Gas Project in Cook Inlet, 15556–15557

National Park Service

NOTICES

List of Units of National Park System Exempt from Provisions of National Parks Air Tour Management Act, 15667–15668
 National Register of Historic Places:
 Pending Nominations and Related Actions, 15601–15602

Navy Department

NOTICES

Government-Owned Inventions; Available for Licensing, 15559

Nuclear Regulatory Commission**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Voluntary Reporting of Planned New Reactor Applications, 15644–15645

Occupational Safety and Health Administration**RULES**

Safety and Health Regulations for Construction; CFR Correction, 15499

NOTICES

Agency Information Collection Activities; Proposals, Submissions, and Approvals:
Shipyard Employment Standards, 15639–15641

Ocean Energy Management Bureau**NOTICES**

Proposed Sales:

Atlantic Wind Lease Sale 4A Commercial Leasing for Wind Power on Outer Continental Shelf Offshore Massachusetts, 15618–15626

Requests for Nominations:

Commercial Leasing for Wind Power on Outer Continental Shelf in New York Bight, 15602–15617

Postal Regulatory Commission**NOTICES**

New Postal Products, 15645–15646

Postal Service**NOTICES**

Product Changes:

Priority Mail and First-Class Package Service Negotiated Service Agreement, 15647

Priority Mail Express and First-Class Package Service Negotiated Service Agreement, 15647

Priority Mail Express and Priority Mail Negotiated Service Agreement, 15646

Priority Mail Express, Priority Mail, and First-Class Package Service Negotiated Service Agreement, 15647

Priority Mail Negotiated Service Agreement, 15646–15648

Rural Housing Service**NOTICES**

Meetings:

Section 538 Guaranteed Rural Rental Housing Program 2018 Industry Forums: Open Teleconference and or Web Conference, 15550–15551

Securities and Exchange Commission**NOTICES**

Applications:

Benefit Street Partners BDC, Inc., et al., 15648–15653

Orders:

Review of FASB Accounting Support Fee for 2018 under Sarbanes-Oxley Act, 15658–15659

Self-Regulatory Organizations; Proposed Rule Changes:

Nasdaq ISE, LLC, 15653–15658, 15662–15664

NYSE Arca, Inc., 15659–15662

State Department**NOTICES**

Meetings:

Advisory Committee on Private International Law, 15664

State Justice Institute**NOTICES**

Meetings:

Board of Directors, 15664

Substance Abuse and Mental Health Services Administration**NOTICES**

Agency Information Collection Activities; Proposals, Submissions, and Approvals, 15588–15590

Meetings:

Center for Substance Abuse Treatment National Advisory Council, 15587

Interdepartmental Serious Mental Illness Coordinating Committee, 15587–15588

Susquehanna River Basin Commission**NOTICES**

Meetings:

Public Hearing, 15665–15666

Projects Approved:

Consumptive Uses of Water, 15666

Projects Rescinded:

Consumptive Uses of Water, 15664–15665

Transportation Department

See Federal Aviation Administration

See Federal Highway Administration

See Maritime Administration

See National Highway Traffic Safety Administration

Treasury Department

See Comptroller of the Currency

See Foreign Assets Control Office

RULES

Acquisition Regulations:

Tax Check Requirements, 15502–15503

U.S. Customs and Border Protection**RULES**

Port Limits; Extensions:

Savannah, GA, 15498–15499

NOTICES

Commercial Gaugers and Laboratories; Accreditations and Approvals:

Intertek USA, Inc. Carteret, NJ, 15590–15591

Intertek USA, Inc., Jacksonville, FL, 15590

Intertek USA, Inc., Signal Hill, CA, 15591–15592

Veterans Affairs Department**NOTICES**

Privacy Act; Matching Programs, 15702–15703

Separate Parts In This Issue**Part II**

Housing and Urban Development Department, 15706–15725

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.

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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.

9 CFR

53.....	15491
71.....	15491
91.....	15491
93.....	15491
94.....	15491
95.....	15491
98.....	15491
104.....	15491

10 CFR**Proposed Rules:**

431.....	15514
----------	-------

14 CFR

39.....	15495
---------	-------

Proposed Rules:

39 (2 documents)	15517,
	15519
71.....	15521

19 CFR

101.....	15498
----------	-------

23 CFR**Proposed Rules:**

658.....	15524
----------	-------

29 CFR

1926.....	15499
-----------	-------

33 CFR

165.....	15499
----------	-------

40 CFR**Proposed Rules:**

52.....	15526
180.....	15528

47 CFR

54.....	15502
---------	-------

Proposed Rules:

1.....	15531
73.....	15531

48 CFR

1009.....	15502
1052.....	15502

50 CFR

23.....	15503
300.....	15503
648.....	15511

Proposed Rules:

648.....	15535
679.....	15538

Rules and Regulations

Federal Register

Vol. 83, No. 70

Wednesday, April 11, 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.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Parts 53, 71, 91, 93, 94, 95, 98, and 104

[Docket No. APHIS–2017–0070]

Rinderpest; Update of Communicable Animal Disease Provisions

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations concerning communicable diseases of livestock and poultry, interstate transportation and importation of animals (including poultry) and animal products, and permits for biological products to remove references to the animal disease rinderpest. This action reflects recognition by the Animal and Plant Health Inspection Service that rinderpest has been eradicated worldwide, and removes restrictions that are no longer necessary due to eradication of the disease. This action better aligns our regulations with World Organization for Animal Health guidelines for international trade as they pertain to rinderpest.

DATES: Effective April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Dr. Ingrid Kotowski, Regionalization Evaluation Services, National Import Export Services, Veterinary Services, APHIS, 920 Main Campus Drive, Suite 200, Raleigh, NC 27606; (919) 855-7732; email: Ingrid.Kotowski@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR chapter I, subchapters B through E (referred to below as the regulations) govern, among other things, cooperative control and eradication of livestock and poultry diseases, importation and interstate

transportation of animals (including poultry) and animal products, and permits for biological products. Rinderpest, a communicable animal disease, is referenced in various places throughout the regulations. Because rinderpest has been eradicated worldwide, the Animal and Plant Health Inspection Service (APHIS) is removing references to rinderpest where they occur in the regulations, except for regulations pertaining to select agents and toxins. This action will remove restrictions that are no longer necessary due to eradication of the disease, and will better align APHIS regulations with World Organization for Animal Health (OIE) guidelines for international trade as they pertain to rinderpest. This rule does not change the regulations or requirements associated with other animal diseases, nor does it make any substantive changes to the regulations.

Reference Removal

Part 53 of the regulations pertains to State and Federal cooperative control of certain communicable diseases of livestock or poultry. This rule will remove the word “rinderpest” from the title of part 53, and amends the definition of *disease* in § 53.1 to remove the reference to rinderpest. In part 71, which specifies general provisions regarding the interstate transportation of animals (including poultry) and animal products, we are amending a paragraph in § 71.3 to remove rinderpest from a list of animal diseases affecting the interstate movement of livestock or poultry.

Subchapter D (parts 91 through 99), which pertains to the exportation and importation of animals (including poultry) and animal products, contains the majority of references to rinderpest that this rule will remove. In part 93, references to rinderpest will be removed from §§ 93.404, 93.405, 93.504, and 93.505, which specify requirements for import permits and health certificates. Part 94, which concerns prohibited and restricted importations, will be amended to remove the word “rinderpest” from its title, as well as from §§ 94.1 through 94.4, 94.11, 94.16, and 94.17. Part 95 pertains to sanitary control of animal byproducts (except casings), and hay and straw, offered for entry into the United States. This rule amends the definition of *approved chlorinating equipment* in § 95.1 to

remove its reference to rinderpest, and makes similar editorial adjustments to remove references to rinderpest in §§ 95.3, 95.16 through 95.21, 95.23, 95.25 through 95.28, 95.32, 95.34, and 95.37.

In part 98, which concerns the importation of certain animal embryos and animal semen, references to rinderpest will be removed from regulations in §§ 98.3, 98.12, 98.13, 98.15, 98.16, and 98.34, as well as from the titles of subparts A and B. We note that, consistent with the removal of rinderpest-related references from APHIS animal import regulations, APHIS will no longer display its web-based list of regions that APHIS has declared free from rinderpest.

Finally, part 104 of the regulations specifies requirements for permits for biological products. In § 104.2, we are removing the reference to rinderpest from a list of exotic diseases that, when present in a country, precludes the issuance of permits for biological products from that country. We are making an additional nonsubstantive change to correct a typographical error in § 104.2(b) by adding a comma and space between the words “influenza” and “swine” in that section.

Miscellaneous Changes

We are updating the authority citations for part 91 and part 94 in this document to reflect U.S. Code citations that have been repealed or redesignated. In the authority citation for part 91, 46 U.S.C. 3901 and 3902 will be removed; in the authority citation for part 94, 7 U.S.C. 450 will be redesignated as 7 U.S.C. 1633.

Effective Date

This rule relates to internal agency management and makes various nonsubstantive changes to the regulations in 9 CFR to reflect the worldwide eradication of the animal disease rinderpest. Because the changes contained in this rule are nonsubstantive in nature, notice and other public procedure on this rule are unnecessary and contrary to the public interest. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity to comment are not required, and this rule may be made effective less than 30 days after publication in the **Federal Register**. Further, since this rule relates to internal agency management, it is

exempt from the provisions of Executive Orders 12866, 12988, and 13771. Finally, this action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 501) and, thus, is exempt from the provisions of that Act.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 2 CFR chapter IV.)

Paperwork Reduction Act

This final rule contains no new reporting, recordkeeping, or third party disclosure requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects

9 CFR Part 53

Animal diseases, Indemnity payments, Livestock, Poultry and poultry products.

9 CFR Part 71

Animal diseases, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements, Transportation.

9 CFR Part 91

Animal diseases, Animal welfare, Exports, Livestock, Reporting and recordkeeping requirements, Transportation.

9 CFR Part 93

Animal diseases, Imports, Livestock, Poultry and poultry products, Reporting and recordkeeping requirements.

9 CFR Part 94

Animal diseases, Imports, Livestock, Meat and meat products, Milk, Poultry and poultry products, Reporting and recordkeeping requirements.

9 CFR Part 95

Animal feeds, Hay, Imports, Livestock, Reporting and recordkeeping requirements, Straw, Transportation.

9 CFR Part 98

Animal diseases, Imports.

9 CFR Part 104

Animal biologics, Imports, Reporting and recordkeeping requirements, Transportation.

Accordingly, we are amending 9 CFR parts 53, 71, 91, 93, 94, 95, 98, and 104 as follows:

PART 53—FOOT-AND-MOUTH DISEASE, PLEUROPNEUMONIA, AND CERTAIN OTHER COMMUNICABLE DISEASES OF LIVESTOCK OR POULTRY

■ 1. The authority citation for part 53 continues to read as follows:

Authority: 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

■ 2. The heading of part 53 is revised to read as set forth above.

■ 3. In § 53.1, the definition of *disease* is revised to read as follows:

§ 53.1 Definitions.

* * * * *

Disease. Foot-and-mouth disease, contagious pleuropneumonia, Newcastle disease, highly pathogenic avian influenza, infectious salmon anemia, spring viremia of carp, or any other communicable disease of livestock or poultry that in the opinion of the Secretary constitutes an emergency and threatens the livestock or poultry of the United States.

* * * * *

PART 71—GENERAL PROVISIONS

■ 4. The authority citation for part 71 continues to read as follows:

Authority: 7 U.S.C. 8301–8317; 7 CFR 2.22, 2.80, and 371.4.

§ 71.3 [Amended]

■ 5. In § 71.3, paragraph (b) is amended by removing the word “rinderpest.”.

PART 91—EXPORTATION OF LIVE ANIMALS, HATCHING EGGS OR OTHER EMBRYONATED EGGS, ANIMAL SEMEN, ANIMAL EMBRYOS, AND GAMETES FROM THE UNITED STATES

■ 6. The authority citation for part 91 is revised to read as follows:

Authority: 7 U.S.C. 8301–8317; 19 U.S.C. 1644a(c); 21 U.S.C. 136, 136a, and 618; 7 CFR 2.22, 2.80, and 371.4.

PART 93—IMPORTATION OF CERTAIN ANIMALS, BIRDS, FISH, AND POULTRY, AND CERTAIN ANIMAL, BIRD, AND POULTRY PRODUCTS; REQUIREMENTS FOR MEANS OF CONVEYANCE AND SHIPPING CONTAINERS

■ 7. The authority citation for part 93 continues to read as follows:

Authority: 7 U.S.C. 1622 and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

§ 93.404 [Amended]

■ 8. Section 93.404 is amended as follows:

■ a. In paragraph (a)(2), by removing the words “rinderpest or”;

■ b. In the heading for paragraph (c), by removing the words “or rinderpest”;

■ c. In paragraph (c) introductory text, by removing the words “or rinderpest exist” and adding the word “exists” in their place; and

■ d. In paragraph (c)(4), in the “Agreement for the Importation, Quarantine and Exhibition of Certain Wild Ruminants and Wild Swine”:

■ i. In the introductory text, by removing the words “or rinderpest”;

■ ii. In paragraph 1, by removing the word “rinderpest,”;

■ iii. In paragraph 2, by removing the words “rinderpest or”;

■ iv. In paragraph 6, by removing the word “rinderpest,” both times it appears.

§ 93.405 [Amended]

■ 9. In § 93.405, paragraph (a)(1) is amended by removing the word “rinderpest,”.

§ 93.504 [Amended]

■ 10. Section 93.504 is amended as follows:

■ a. In paragraph (a)(2), by removing the words “rinderpest or”;

■ b. In the heading for paragraph (c), by removing the words “or rinderpest”;

■ c. In paragraph (c) introductory text, by removing the words “or rinderpest exist” and adding the word “exists” in their place; and

■ d. In paragraph (c)(4), in the “Agreement for the Importation, Quarantine and Exhibition of Certain Wild Ruminants and Wild Swine”:

■ i. In the introductory text, by removing the words “or rinderpest”;

■ ii. In paragraph 1, by removing the word “rinderpest,”;

■ iii. In paragraph 2, by removing the words “rinderpest or”;

■ iv. In paragraph 6, by removing the word “rinderpest,” both times it appears.

§ 93.505 [Amended]

■ 11. In § 93.505, paragraph (a) is amended by removing the word “rinderpest,”.

PART 94—FOOT-AND-MOUTH DISEASE, NEWCASTLE DISEASE, HIGHLY PATHOGENIC AVIAN INFLUENZA, AFRICAN SWINE FEVER, CLASSICAL SWINE FEVER, SWINE VESICULAR DISEASE, AND BOVINE SPONGIFORM ENCEPHALOPATHY: PROHIBITED AND RESTRICTED IMPORTATIONS

■ 12. The authority citation for part 94 is revised to read as follows:

Authority: 7 U.S.C. 1633, 7701–7772, 7781–7786, and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

■ 13. The heading of part 94 is revised to read as set forth above.

■ 14. Section 94.1 is amended as follows:

■ a. By revising the section heading;

■ b. By revising paragraph (a) introductory text;

■ c. In paragraph (a)(1):

■ i. By removing the words “rinderpest and a list of regions APHIS has declared free of”;

■ ii. By removing the words “foot and mouth” and adding the words “foot-and-mouth” in their place; and

■ iii. By removing the word “are” immediately before the word “maintained” and adding the word “is” in its place;

■ d. By revising paragraph (a)(2);

■ e. In paragraphs (b) and (c), by removing the words “rinderpest or” each time they appear; and

■ f. In paragraph (d) introductory text, by removing the words “and rinderpest” and “rinderpest or”.

The revisions read as follows:

§ 94.1 Regions where foot-and-mouth disease exists; importations prohibited.

(a) APHIS considers foot-and-mouth disease to exist in all regions of the world except those declared free of the disease by APHIS.

(2) APHIS will add a region to the list of those it has declared free of foot-and-mouth disease after it conducts an evaluation of the region in accordance with § 92.2 of this subchapter and finds that the disease is not present. In the case of a region formerly on this list that is removed due to an outbreak, the region may be returned to the list in accordance with the procedures for reestablishment of a region’s disease-free status in § 92.4 of this subchapter. APHIS will remove a region from the list of those it has declared free of foot-and-mouth disease upon determining that the disease exists in the region based on reports APHIS receives of outbreaks of the disease from veterinary

officials of the exporting country, from the World Organization for Animal Health (OIE), or from other sources the Administrator determines to be reliable.

* * * * *

§ 94.2 [Amended]

■ 15. Section 94.2 is amended by removing the words “rinderpest or” both times they appear.

§ 94.3 [Amended]

■ 16. Section 94.3 is amended by removing the words “rinderpest or”.

■ 17. Section 94.4 is amended by revising the section heading and by removing the words “rinderpest or” each time they appear.

The revision reads as follows:

§ 94.4 Cured or cooked meat from regions where foot-and-mouth disease exists.

* * * * *

■ 18. Section 94.11 is amended as follows:

■ a. By revising paragraph (a)(1);

■ b. In paragraph (a)(3), by removing the words “rinderpest or”;

■ c. In paragraph (c), by removing the words “rinderpest or” and “rinderpest and” each time they appear.

The revision reads as follows:

§ 94.11 Restrictions on importation of meat and other animal products from specific regions.

(a) * * *

(1) The regions listed under paragraph (a)(2) of this section have been declared free of foot-and-mouth disease by APHIS as provided in § 94.1(a) but supplement their national meat supply by the importation of fresh (chilled or frozen) meat of ruminants or swine from regions that APHIS considers to be affected with foot-and-mouth disease as provided in § 94.1(a); or have a common land border with regions considered to be affected with foot-and-mouth disease; or import ruminants or swine from regions considered to be affected with foot-and-mouth disease under conditions less restrictive than would be acceptable for importation into the United States. Thus, the meat may be commingled with the fresh (chilled or frozen) meat of animals from an affected region, resulting in an undue risk of introducing foot-and-mouth disease into the United States.

* * * * *

§ 94.16 [Amended]

■ 19. Section 94.16 is amended as follows:

■ a. In paragraph (b) introductory text, by removing the words “rinderpest or”;

■ b. In paragraph (c) introductory text, by removing the words “rinderpest and”

and by removing the word “either” and adding the word “the” in its place; and

■ c. In paragraph (d), by removing the words “rinderpest and” and “rinderpest or” each time they appear.

■ 20. Section 94.17 is amended as follows:

■ a. By revising the section heading;

■ b. In paragraphs (b) and (c), by removing the word “rinderpest,”; and

■ c. By revising paragraph (m)(1).

The revisions read as follows:

§ 94.17 Dry-cured pork products from regions where foot-and-mouth disease, African swine fever, classical swine fever, or swine vesicular disease exists.

* * * * *

(m) * * *

(1) The ham, if it is an Italian-type ham processed in accordance with paragraph (i)(1) of this section, was processed in a region which has submitted, through its veterinary services, to the Administrator, a written statement stating that it conducts a program to authorize persons to supervise activities specified under this section;

* * * * *

PART 95—SANITARY CONTROL OF ANIMAL BYPRODUCTS (EXCEPT CASINGS), AND HAY AND STRAW, OFFERED FOR ENTRY INTO THE UNITED STATES

■ 21. The authority for part 95 continues to read as follows:

Authority: 7 U.S.C. 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

■ 22. In § 95.1, the definition of *approved chlorinating equipment* is revised to read as follows:

§ 95.1 Definitions.

* * * * *

Approved chlorinating equipment means equipment approved by Veterinary Services as efficient for the disinfection of effluents against the contagion of foot-and-mouth disease.

* * * * *

■ 23. Section 95.3 is revised to read as follows:

§ 95.3 Byproducts from diseased animals prohibited.

The importation of any animal byproduct taken or removed from an animal affected with anthrax, foot-and-mouth disease, highly pathogenic avian influenza, or Newcastle disease is prohibited.

§ 95.16 [Amended]

■ 24. Section 95.16 is amended as follows:

- a. In paragraph (a)(1), by removing the words “rinderpest and” and “, rinderpest,”; and
- b. In paragraph (a)(3)(ii), by removing the comma after the word “anthrax” and adding the word “and” in its place and by removing the words “, and rinderpest”.

§ 95.17 [Amended]

- 25. In § 95.17, paragraph (c) is amended by removing the word “rinderpest,”.
- 26. Section 95.18 is amended as follows:
 - a. In paragraph (a), by removing the words “or rinderpest”; and
 - b. By revising paragraph (c).
The revision reads as follows:

§ 95.18 Wool, hair, and bristles; requirements for unrestricted entry.

* * * * *

(c) Wool, hair, or bristles taken from sheep, goats, cattle, or swine, when such animals have been slaughtered under national government inspection in a region³ and in an abattoir in which is maintained an inspection service determined by the Secretary of Agriculture to be adequate to assure that such materials have been removed from animals found at time of slaughter to be free from anthrax and foot-and-mouth disease, and to assure further the identity of such materials until loaded upon the transporting vessel, may be imported without other restriction if accompanied by a certificate bearing the seal of the proper department of said national government and signed by an official veterinary inspector of such region showing that the therein described wool, hair, or bristles were taken from animals slaughtered in such specified abattoir and found free from anthrax and foot-and-mouth disease.

* * * * *

§ 95.19 [Amended]

- 27. In § 95.19, paragraph (c) is amended by removing the words “and rinderpest”.
- 28. Section 95.20 is amended as follows:
 - a. In paragraph (a), by removing the words “or rinderpest”; and
 - b. By revising paragraph (c).
The revision reads as follows:

§ 95.20 Glue stock; requirements for unrestricted entry.

* * * * *

(c) Glue stock taken from cattle, sheep, goats, or swine slaughtered under national government inspection in a region⁴ and in an abattoir in which is

maintained an inspection service determined by the Secretary of Agriculture to be adequate to assure that such materials have been removed from animals found at time of slaughter to be free from anthrax and foot-and-mouth disease, and to assure further the identity of such materials until loaded upon the transporting vessel, may be imported without other restriction if accompanied by a certificate bearing the seal of the proper department of said national government and signed by an official veterinary inspector of such region showing that the therein described glue stock was taken from animals slaughtered in such specified abattoir and found free from anthrax and foot-and-mouth disease.

* * * * *

§ 95.21 [Amended]

- 29. In § 95.21, paragraph (c) is amended by removing the words “and rinderpest”.

§ 95.23 [Amended]

- 30. In § 95.23, paragraph (c) is amended by removing the word “rinderpest,”.

§ 95.25 [Amended]

- 31. In § 95.25, paragraph (a) is amended by removing the words “or rinderpest”.

§ 95.26 [Amended]

- 32. Section 95.26 is amended by removing the words “or rinderpest”.

§ 95.27 [Amended]

- 33. In § 95.27, paragraph (c) is amended by removing the words “and rinderpest”.

§ 95.28 [Amended]

- 34. Section 95.28 is amended by removing the words “or rinderpest”.

§ 95.32 [Amended]

- 35. Section 95.32 is amended by removing the words “or rinderpest”.

§ 95.34 [Amended]

- 36. Section 95.34 is amended as follows:
 - a. In the introductory text, by removing the words “rinderpest or”; and
 - b. In paragraph (c), by removing the words “and rinderpest”.

§ 95.37 [Amended]

- 37. Section 95.37 is amended as follows:
 - a. In paragraph (c) introductory text, by removing the words “and rinderpest”; and

- b. In paragraph (d), by removing the words “rinder-pest or”.

PART 98—IMPORTATION OF CERTAIN ANIMAL EMBRYOS AND ANIMAL SEMEN

- 38. The authority citation for part 98 continues to read as follows:

Authority: 7 U.S.C. 1622 and 8301–8317; 21 U.S.C. 136 and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.4.

- 39. The heading for subpart A is revised to read as follows:

Subpart A—Ruminant and Swine Embryos From Regions Free of Foot-and-Mouth Disease; and Embryos of Horses and Asses

§ 98.3 [Amended]

- 40. In § 98.3, the introductory text is amended by removing the words “rinderpest and”.
- 41. The heading for subpart B is revised to read as follows:

Subpart B—Ruminant and Swine Embryos From Regions Where Foot-and-Mouth Disease Exists

§ 98.12 [Amended]

- 42. In § 98.12, paragraph (a) is amended by removing the words “rinderpest or”.

§ 98.13 [Amended]

- 43. In § 98.13, paragraph (a) is amended by removing the words “or rinderpest”.

§ 98.15 [Amended]

- 44. Section 98.15 is amended as follows:
 - a. In the introductory text, by removing the words “rinderpest or”;
 - b. In paragraphs (a)(1)(i) and (ii) and (a)(2)(i) and (ii), by removing the word “rinderpest,”;
 - c. In paragraph (a)(3), by removing the words “either rinderpest or”; and
 - d. In paragraphs (a)(5)(ii)(A) and (B), (a)(7)(i)(A) and (B), and (a)(8)(i)(A) and (B), by removing the word “rinderpest,”.

§ 98.16 [Amended]

- 45. In § 98.16, the introductory text is amended by removing the words “rinderpest or”.
- 46. Section 98.34 is amended as follows:
 - a. In paragraph (a)(2), by removing the words “or rinderpest”;
 - b. In the heading and introductory text of paragraph (c), by removing the words “rinderpest or”;
 - c. By revising paragraph (c)(1)(i);
 - d. In paragraph (c)(1)(ii), by removing the words “rinderpest or” both times they appear;

³ See footnote 2 in § 95.16.

⁴ See footnote 2 in § 95.16.

- e. In paragraph (c)(1)(iii), by removing the word “rinderpest,”;
- f. In paragraphs (c)(1)(v) and (c)(5) and (6), by removing the words “rinderpest or”; and
- g. In paragraph (c)(7), by removing the word “rinderpest,”.

The revision reads as follows:

§ 98.34 Import permits for poultry semen and animal semen.

* * * * *

- (c) * * *
- (1) * * *

(i) The donor animal shall have been inspected on the farm of origin or on another premises (the inspection may be on another premises only if a veterinarian of the Department has traced the donor animal back to its farm of origin) by a veterinarian of the United States Department of Agriculture who, in cooperation with the veterinary service of the region of origin of the donor animal, shall have determined, insofar as possible, that the donor animal was never infected with foot-and-mouth disease; that the donor animal was never on a farm or other premises where foot-and-mouth disease then existed; that the donor animal has not been on a premises that had an animal that was susceptible to the virus of foot-and-mouth disease and that was exposed to the disease during the 12 months immediately prior to the date of inspection of the donor animal; that the donor animal, if a swine, has never been vaccinated against foot-and-mouth disease; and that the donor animal was free from evidence of other communicable disease;

* * * * *

PART 104—PERMITS FOR BIOLOGICAL PRODUCTS

■ 47. The authority for part 104 continues to read as follows:

Authority: 21 U.S.C. 151–159; 7 CFR 2.22, 2.80, and 371.4.

■ 48. Section 104.2 is amended by revising paragraph (b) to read as follows:

§ 104.2 Permit authorized.

* * * * *

(b) A permit shall not be issued for a biological product from countries known to have exotic diseases, including but not limited to foot-and-mouth disease, highly pathogenic avian influenza, swine vesicular disease, Newcastle disease, and African swine fever, if in the opinion of the Administrator, such products may endanger the livestock or poultry of this country.

* * * * *

Done in Washington, DC, this 4th day of April 2018.

Kevin Shea,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 2018–07232 Filed 4–10–18; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0170; Product Identifier 2017–SW–091–AD; Amendment 39–19239; AD 2018–07–08]

RIN 2120–AA64

Airworthiness Directives; Agusta S.p.A. Helicopters

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for Agusta S.p.A. (Agusta) Model A109E, A109K2, A109S, AW109SP, A119, and AW119 MKII helicopters. This AD reduces the life limit of and requires inspecting a tail rotor blade retention bolt (bolt). This AD is prompted by the discovery of a cracked bolt. The actions of this AD are intended to address an unsafe condition on these products.

DATES: This AD becomes effective April 26, 2018.

The Director of the Federal Register approved the incorporation by reference of certain documents listed in this AD as of April 26, 2018.

We must receive comments on this AD by June 11, 2018.

ADDRESSES: You may send comments by any of the following methods:

- **Federal eRulemaking Docket:** Go to <http://www.regulations.gov>. Follow the online instructions for sending your comments electronically.
- **Fax:** 202–493–2251.
- **Mail:** Send comments to the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590–0001.
- **Hand Delivery:** Deliver to the “Mail” address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the internet at [http://](http://www.regulations.gov)

www.regulations.gov by searching for and locating Docket No. FAA–2018–0170; 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 AD, the European Aviation Safety Agency (EASA) AD, any incorporated-by-reference service information, the economic evaluation, any comments received, and other information. The street address for Docket Operations (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

For service information identified in this final rule, contact Leonardo S.p.A. Helicopters, Matteo Ragazzi, Head of Airworthiness, Viale G. Agusta 520, 21017 C. Costa di Samarate (Va) Italy; telephone +39–0331–711756; fax +39–0331–229046; or at <http://www.leonardocompany.com/-/bulletins>. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N–321, Fort Worth, TX 76177. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2018–0170.

FOR FURTHER INFORMATION CONTACT: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222–5110; email matthew.fuller@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments prior to it becoming effective. However, we invite you to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that resulted from adopting this AD. The most helpful comments reference a specific portion of the AD, explain the reason for any recommended change, and include supporting data. To ensure the docket does not contain duplicate comments, commenters should send only one copy of written comments, or if comments are filed electronically, commenters should submit them only one time. We will file in the docket all comments that we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this

rulemaking during the comment period. We will consider all the comments we receive and may conduct additional rulemaking based on those comments.

Discussion

EASA, which is the Technical Agent for the Member States of the European Union, has issued Emergency AD No. 2016-0173-E, dated August 24, 2016, to correct an unsafe condition for Leonardo S.p.A. (formerly Agusta) Model A109E, A109K2, A109LUH, A109S, A119, AW109SP, and AW119MKII helicopters. EASA advises of a crack found in a bolt, part number (P/N) 709-0160-57-101, during a pre-flight inspection of a Model A109E helicopter. This part-numbered bolt is also installed on Model A109K2, A109LUH, A109S, A119, AW109SP, and AW119MKII helicopters. Subsequent investigation did not identify the cause of the crack. EASA advises that this condition, if not detected and corrected, could lead to failure of the tail rotor, possibly resulting in loss of control of the helicopter. As a precautionary measure pending the completion of the investigation and to address the unsafe condition, the EASA AD requires reducing the life limit of and repetitively inspecting the bolts. The EASA AD is considered an interim action and further AD action may follow.

Accordingly, this AD requires reducing the life limit of bolt P/N 709-0160-57-101 to 800 hours time-in-service (TIS) or 3,200 landings, depending on the model helicopter on which the bolt is installed. This AD also requires, within 25 hours TIS, inspecting each bolt for a crack using a 10X or higher power magnifying glass, both before and after cleaning and degreasing the bolts. Additional inspections of the bolts at longer intervals may also be necessary. We plan to publish a notice of proposed rulemaking to give the public an opportunity to comment on those long-term requirements.

The FAA is in the process of updating Agusta's name change to Leonardo Helicopters on its FAA type certificate. Because this name change is not yet effective, this AD specifies Agusta.

FAA's Determination

These helicopters have been approved by the aviation authority of Italy and are approved for operation in the United States. Pursuant to our bilateral agreement with Italy, EASA, its technical representative, has notified us of the unsafe condition described in the EASA AD. We are issuing 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 helicopters of these same type designs.

Related Service Information Under 1 CFR Part 51

Leonardo Helicopters has issued Mandatory Bollettino Tecnico (BT) No. 109EP-149 for Model A109E helicopters, Mandatory BT No. 109K-72 for Model A109K2 helicopters, Mandatory BT No. 109S-072 for Model A109S helicopters, Mandatory BT No. 109SP-105 for Model AW109SP helicopters, and Mandatory BT No. 119-080 for Model A119 and AW119 MKII helicopters, all dated August 19, 2016. This service information specifies reducing the life limit of bolt P/N 709-0160-57-101 and repetitively inspecting the bolts for cracks.

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.

AD Requirements

This AD requires, before further flight, removing from service any bolt P/N 709-0160-57-101 that has reached or exceeded its new life limit. Thereafter, this AD requires removing from service any bolt P/N 709-0160-57-101 before it reaches its new life limit.

This AD also requires, within 25 hours time-in-service, inspecting each bolt for a crack using a 10X or higher power magnifying glass, both before and after cleaning and degreasing the bolts, and replacing a cracked bolt before further flight.

Differences Between This AD and the EASA AD

The EASA AD applies to Model A109LUH helicopters. This AD does not because the Model A109LUH does not have an FAA type certificate. The EASA AD does not specify life limits for bolt P/N 709-0160-57-101 that has been interchanged between model helicopter installations, while this AD does. The EASA AD requires repeating the visual inspection every 200 hours, while this AD does not, as this time interval would allow for sufficient time for notice and comment.

Interim Action

We consider this AD to be an interim action. The design approval holder is currently developing a modification that will address the unsafe condition identified in this AD. Once this modification is developed, approved,

and available, we might consider additional rulemaking.

Costs of Compliance

We estimate that this AD affects 234 helicopters of U.S. Registry. We estimate that operators may incur the following costs in order to comply with this AD. Labor costs are estimated at \$85 per work-hour.

Removing a bolt that has reached its new life limit will take about 2 work-hours for a cost of \$170 per bolt. Inspecting the bolts will take about 4 work-hours for an estimated cost of \$340 per helicopter and \$79,560 for the U.S. fleet. Replacing a bolt will take negligible additional labor time and parts will cost about \$500.

According to Leonardo Helicopter's service information, some of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected individuals. We do not control warranty coverage by Leonardo Helicopter. Accordingly, we have included all costs in our cost estimate.

FAA's Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because some of the required corrective actions must be completed before further flight. Therefore, we find good cause that notice and opportunity for prior public comment are impracticable.

In addition, for the reasons stated above, we find that good cause exists for making this amendment effective in less than 30 days.

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.

Regulatory Findings

We determined that 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, 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 to the extent that it justifies making a regulatory distinction; 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.

We prepared an economic evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

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):

2018-07-08 Agusta S.p.A.: Amendment 39-19239; Docket No. FAA-2018-0170; Product Identifier 2017-SW-091-AD.

(a) Applicability

This AD applies to Model A109E, A109K2, A109S, AW109SP, A119, and AW119 MKII helicopters, certificated in any category, with a tail rotor blade retention bolt (bolt) part number (P/N) 709-0160-57-101 installed.

(b) Unsafe Condition

This AD defines the unsafe condition as a crack in a bolt. This condition could result in failure of the tail rotor and loss of control of the helicopter.

(c) Effective Date

This AD becomes effective April 26, 2018.

(d) Compliance

You are responsible for performing each action required by this AD within the specified compliance time unless it has already been accomplished prior to that time.

(e) Required Actions

(1) Before further flight:

(i) For Model A109E and A109K2 helicopters, remove from service any bolt P/N 709-0160-57-101 that has 800 or more hours time-in-service (TIS). If the hours TIS is unknown, remove the bolt from service. Thereafter, remove from service any bolt P/N 709-0160-57-101 before accumulating 800 hours TIS.

(ii) For Model A109S, AW109SP, A119, and AW119 MKII helicopters, remove from service any bolt P/N 709-0160-57-101 that has 3,200 or more landings. If the number of landings is unknown, remove the bolt from service. Thereafter, remove from service any bolt P/N 709-0160-57-101 before accumulating 3,200 landings. For purposes of this AD, a landing is counted anytime a helicopter lifts off into the air and then lands again regardless of the duration of the landing and regardless of whether the engine is shutdown.

(iii) Remove from service any bolt P/N 709-0160-57-101 that has been interchanged between different model helicopters listed in paragraphs (e)(1)(i) and (e)(1)(ii) of this AD that has 800 or more hours TIS or 3,200 or more landings. If the hours TIS or number of landings is unknown, remove the bolt from service. Thereafter, remove from service any bolt P/N 709-0160-57-101 that has been interchanged between different model helicopters listed in paragraphs (e)(1)(i) and (e)(1)(ii) of this AD before accumulating 800 hours TIS or 3,200 landings, whichever occurs first.

(2) Within 25 hours TIS, remove each bolt P/N 709-0160-57-101. Prior to cleaning, using a 10X or higher power magnifying glass, visually inspect the bolt for a crack in the area depicted in Figure 1 of Leonardo Helicopters Mandatory Bollettino Tecnico Nos. 109EP-149, 109K-72, 109S-072, 109SP-105, or 119-080, all dated August 19, 2016 (BT Nos. 109EP-149, 109K-72, 109S-072, 109SP-105, or 119-080), as applicable to your model helicopter.

(i) If there is a crack, replace the bolt before further flight.

(ii) If there are no cracks, clean and degrease the inspection area of the bolt with solvent, and using a 10X or higher power magnifying glass, visually inspect the bolt for a crack in the area depicted in Figure 1 of BT Nos. 109EP-149, 109K-72, 109S-072, 109SP-105, or 119-080, as applicable to your model helicopter. If there is a crack, replace the bolt before further flight.

(f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Section, Rotorcraft Standards Branch, FAA, may approve AMOCs for this AD. Send your proposal to: Matt Fuller, Senior Aviation Safety Engineer, Safety Management Section,

Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email 9-ASW-FTW-AMOC-Requests@faa.gov.

(2) For operations conducted under a 14 CFR part 119 operating certificate or under 14 CFR part 91, subpart K, we suggest that you notify your principal inspector, or lacking a principal inspector, the manager of the local flight standards district office or certificate holding district office, before operating any aircraft complying with this AD through an AMOC.

(g) Additional Information

The subject of this AD is addressed in European Aviation Safety Agency (EASA) Emergency AD No. 2016-0173-E, dated August 24, 2016. You may view the EASA AD on the internet at <http://www.regulations.gov> by searching for and locating it in Docket No. FAA-2018-0170.

(h) Subject

Joint Aircraft Service Component (JASC) Code: 6500, Tail Rotor Drive System.

(i) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference 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) Leonardo Helicopters Mandatory Bollettino Tecnico No. 109EP-149, dated August 19, 2016.

(ii) Leonardo Helicopters Mandatory Bollettino Tecnico No. 109K-72, dated August 19, 2016.

(iii) Leonardo Helicopters Mandatory Bollettino Tecnico No. 109S-072, dated August 19, 2016.

(iv) Leonardo Helicopters Mandatory Bollettino Tecnico No. 109SP-105, dated August 19, 2016.

(v) Leonardo Helicopters Mandatory Bollettino Tecnico No. 119-080, dated August 19, 2016.

(3) For Leonardo Helicopters service information identified in this AD, contact Leonardo S.p.A. Helicopters, Matteo Ragazzi, Head of Airworthiness, Viale G. Agusta 520, 21017 C. Costa di Samarate (Va) Italy; telephone +39-0331-711756; fax +39-0331-229046; or at <http://www.leonardocompany.com/-/bulletins>.

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call (817) 222-5110.

(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 Fort Worth, Texas, on April 3, 2018.

Scott A. Horn,

*Deputy Director for Regulatory Operations,
Compliance & Airworthiness Division,
Aircraft Certification Service.*

[FR Doc. 2018-07285 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Part 101

[Docket No. USCBP-2017-0017; CBP Dec. 18-03]

Extension of Port Limits of Savannah, GA

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Final rule.

SUMMARY: This document adopts as a final rule, with changes, proposed amendments to U.S. Customs and Border Protection (CBP) regulations pertaining to the expansion of the geographical limits of the port of entry of Savannah, Georgia. The port limits will be expanded to make the boundaries more easily identifiable to the public and to allow for uniform and continuous service to the extended area of Savannah, Georgia. This change is part of CBP's continuing program to use its personnel, facilities, and resources more efficiently and to provide better service to carriers, importers, and the general public.

DATES: *Effective Date:* May 11, 2018.

FOR FURTHER INFORMATION CONTACT: Roger Kaplan, Office of Field Operations, U.S. Customs and Border Protection, (202) 325-4543, or by email at Roger.Kaplan@dhs.gov.

SUPPLEMENTARY INFORMATION:

Background

In a Notice of Proposed Rulemaking (NPRM) published in the **Federal Register** (82 FR 30807) on July 3, 2017, U.S. Customs and Border Protection (CBP) proposed to amend § 101.3(b)(1) of title 19 of the Code of Federal Regulations (CFR) to extend the geographical limits of the port of entry of Savannah, Georgia. The proposed boundaries of the port of entry included the majority of Chatham County, Georgia, as well as a small portion of Jasper County, South Carolina.

As explained in the NPRM, Savannah, Georgia was designated as a customs

port of entry by the President's message of March 3, 1913, concerning the reorganization of the U.S. Customs Service pursuant to the Act of August 24, 1912 (37 Stat. 434; 19 U.S.C. 1). Executive Order 8367, dated March 5, 1940, established specific geographical boundaries for the port of entry of Savannah, Georgia.

In the July 2017 NPRM, CBP proposed to amend the geographical limits of the port of entry of Savannah, Georgia because the current boundaries established by the Executive Order do not include a large portion of Savannah-Hilton Head International Airport, including the site of a proposed replacement Federal Inspection Service facility for arriving international travelers, or distribution centers and cold storage agricultural facilities that support the seaport. Also, most of the projected facilities, such as a new ship terminal with two berths for container ships and bonded warehouses, which will be built on the region's remaining undeveloped properties will be outside of the boundaries of the current port of entry. CBP determined that the extension of the boundaries would not result in a change in the service that is provided to the public by the port and would not require a change in the staffing or workload at the port. For the proposed rule, CBP posted on the docket on <http://www.regulations.gov> a map of the Savannah area with the current port limits marked by blue lines and the proposed port limits marked by red lines.

The NPRM solicited public comment on the proposed rulemaking. The public comment period closed on September 1, 2017.

Discussion of Comments

One commenter responded to the solicitation of comments to the proposed rule. A description of the comment received, together with CBP's analysis, is set forth below.

Comment:

The commenter fully supported the expansion of the port limits, but was concerned that the proposed limits did not take into consideration the warehouses and distribution centers being built to accommodate the current volume of trade. The commenter suggested that the western portion of the boundary line be extended to the county line (west of Interstate Highway 95) to support the future growth of the area, provide jobs and further solidify Savannah's position in international trade.

CBP Response:

CBP agrees with the commenter's suggestion to extend the western portion

of the boundary line as the purpose of expanding the port of entry of Savannah is to provide better services to the carriers, importers and the general public. In addition, CBP has become aware that import facilities are just outside of Chatham County. Thus, CBP is extending the western boundary slightly into Effingham County to include those facilities. The further extension of the port would not require a change in staffing or workload at the port.

Conclusion

After review of the comment, CBP has determined to further expand the boundaries of the Savannah port of entry in this final rule. Instead of the western boundaries being along the Federal Interstate Highway 95, they begin where Highway 204 (Fort Argyle Road) intersects with Federal Interstate Highway 95, then proceed north to the intersection with Old River Road, then north along Old River Road until it intersects with Federal Interstate Highway 16, then east along Federal Interstate Highway 16 until it meets the Chatham County line, and then north along the Chatham County line until it meets the intersection with Federal Interstate Highway 95 and the Georgia-South Carolina state line. The new port limits are described below, and the map posted on the docket on <http://www.regulations.gov> shows the new port limits as expanded by this final rule marked by the blue and black lines.

Port Description of Savannah, Georgia

The final port limits of the port of entry of Savannah, Georgia, are as follows: From 32°14.588' N-081°08.455' W (where Federal Interstate Highway 95 crosses the Georgia-South Carolina state line) and extending in a straight line to 32°04.903' N-080°54.998' W (where Walls Cut meets Wright River and Turtle Island); then proceeding in a straight line to 31°52.651' N-081°03.331' W (where Adams Creek meets Green Island Sound); then proceeding northwest in a straight line to 32°00.280' N-081°17.00' W (where Highway 204 intersects Federal Interstate Highway 95); then proceeding northwest along Fort Argyle Road (Highway 204) to the intersection with Old River Road; then proceeding north on Old River Road to the intersection with Federal Interstate Highway 16; then proceeding southeast along Federal Interstate Highway 16 to the Chatham County line; then proceeding northeast and then east along the length of the Chatham County line until it intersects with Federal Interstate Highway 95 at Knoxville

Creek; then proceeding north on Federal Interstate Highway 95 to the point of beginning at the Georgia-South Carolina state line.

Authority

This change is made under the authority of 5 U.S.C. 301, 6 U.S.C. 101, *et seq.*; 19 U.S.C. 2, 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.

Regulatory Requirements

A. Executive Orders 12866, 13563 and 13771

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. As 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, Titled ‘Reducing Regulation and Controlling Regulatory Costs’” (April 5, 2017).

The final rule expands the geographical boundaries of the Savannah, Georgia, port of entry, and makes the boundaries more easily identifiable to the public. There are no new costs to the public associated with this rule.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement and Fairness Act of 1996, requires agencies to assess the impact of

regulations on small entities. A small entity may be a small business (defined as any independently owned and operated business not dominant in its field that qualifies as a small business per the Small Business Act); a small not-for-profit organization; or a small governmental jurisdiction (locality with fewer than 50,000 people).

This final rule merely expands the limits of an existing port of entry and does not impose any new costs on the public. Accordingly, we certify that this rule will not have a significant economic impact on a substantial number of small entities.

C. Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

D. Executive Order 13132

This rule will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

Signing Authority

The signing authority for this document falls under 19 CFR 0.2(a) because the extension of port limits is not within the bounds of those regulations for which the Secretary of the Treasury has retained sole authority. Accordingly, this final rule may be signed by the Secretary of Homeland Security (or her delegate).

List of Subjects in 19 CFR Part 101

Customs ports of entry, Harbors, Organization and functions (Government agencies), Seals and insignia, Vessels.

Amendment to the Regulations

For the reasons set forth above, part 101, CBP Regulations (19 CFR part 101), is amended as set forth below:

PART 101—GENERAL PROVISIONS

■ 1. The general authority citation for part 101 and the relevant specific

authority citation for section 101.3 continue to read as follows:

Authority: 5 U.S.C. 301; 6 U.S.C. 101, *et seq.*; 19 U.S.C. 2, 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.

* * * * *

Section 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b.

* * * * *

§ 101.3 [Amended]

■ 2. In § 101.3(b)(1), the table is amended under the State of Georgia by removing from the “Limits of port” column for Savannah the present limits description “Including territory described in E.O. 8367, Mar. 5, 1940 (5 FR 985).” and adding the words “CBP Dec. 18–03” in its place.

Dated: April 4, 2018.

Elaine C. Duke,

Deputy Secretary of Homeland Security.

[FR Doc. 2018–07381 Filed 4–10–18; 8:45 am]

BILLING CODE 9111–14–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1926

Safety and Health Regulations for Construction

CFR Correction

■ In Title 29 of the Code of Federal Regulations, Part 1926, revised as of July 1, 2017, on page 88, in § 1926.60, remove paragraph (o)(8)(ii).

[FR Doc. 2018–07530 Filed 4–10–18; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0291]

RIN 1625–AA00

Safety Zone; Ohio River, Cincinnati, OH

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for all navigable waters of the Ohio River, extending the entire width of the river, from mile marker (MM) 490.0 to MM 491.5. This safety zone is necessary to

provide for the safety of life and vessels during the Miami Fort Static Wire Crossing operation taking place near Cincinnati, OH. Entry into, transiting through, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Sector Ohio Valley (COTP) or a designated representative.

DATES: This rule is effective from April 12, 2018 through April 22, 2018 during daylight hours only, or until the operation is complete, whichever occurs first.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2018-0291 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Petty Officer Joshua Herriott, Sector Ohio Valley, U.S. Coast Guard; telephone 502-779-5343, email SECOHV-WWM@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
 COTP Captain of the Port Sector Ohio Valley
 DHS Department of Homeland Security
 FR Federal Register
 MM Mile marker
 NPRM Notice of proposed rulemaking
 § Section
 U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. We must establish this regulation by April 12, 2018 and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing this rule.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal**

Register. Delaying the effective date of this rule would be impracticable and contrary to the public interest because immediate action is necessary to protect persons and property from the dangers associated with the marine event.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port Sector Ohio Valley (COTP) has determined that potential hazards associated with the Miami Fort Static Wire Crossing operation, occurring from April 12, 2018 through April 22, 2018, will be a safety concern for all navigable waters on the Ohio River from mile marker (MM) 490.0 to MM 491.5. The purpose of this rule is to ensure the safety of life and vessels on these navigable waters before, during, and after the event.

IV. Discussion of the Rule

This rule establishes a safety zone during daylight hours each day from April 12, 2018 through April 22, 2018 for all navigable waters of the Ohio River, extending the entire width of the river, from MM 490.0 to MM 491.5. Transit into and through this area is prohibited during periods of enforcement between April 12, 2018 through April 22, 2018. The periods of enforcement will be prior to, during, and 30 minutes after any vessel movement and wire transfer operations at Miami Fort. The Coast Guard was informed that the operations would take place during daylight hours only. A safety vessel will coordinate all vessel traffic during the enforcement periods. The COTP or a designated representative will inform the public through Broadcast Notice to Mariners (BNM), Local Notices to Mariners (LNM), or through other means of public notice at least 1 hour in advance of each enforcement period.

The duration of the safety zone is intended to ensure the safety of life and vessels on these navigable waters before, during, and after the scheduled event. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of Sector Ohio Valley. They may be contacted on VHF-FM Channel 16 or by telephone at 1-800-253-7465. Persons and vessels permitted to enter this regulated area must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or the designated representative.

V. Regulatory Analyses

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

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, duration, and time-of-day of the safety zone. This safety zone will be in place on a one and a half mile stretch of the Ohio River during daytime hours only for eleven days. The Coast Guard will issue Local Notice to Mariners and Broadcast Notice to Mariners via VHF-FM marine channel 16 about the temporary safety zone. This rule also allows vessels to seek permission from the COTP or a designated representative to enter the safety zone.

B. Impact on Small Entities

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

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-

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

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

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

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires

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

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023-01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370f), and have made a determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone that prohibits entry on a one and a half mile stretch of the Ohio River during daytime hours only for eleven days. It is categorically excluded from further review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 01. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

G. Protest Activities

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

List of Subjects in 33 CFR Part 165

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

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

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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

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

■ 2. Add § 165.T08-0291 to read as follows:

§ 165.T08-0291 Safety zone; Ohio River, Cincinnati, OH.

(a) *Location.* All navigable waters of the Ohio River between mile marker (MM) 490.0 and MM 491.5 in Cincinnati, OH.

(b) *Effective date.* This section is effective from April 12, 2018 through April 22, 2018, or until the wire crossing operation is completed, whichever occurs first.

(c) *Periods of enforcement.* This section will be enforced during daylight hours from April 12, 2018 through April 22, 2018, prior to, during, and 30 minutes after any vessel movement and wire transfer operations at Miami Fort. The Captain of the Port Sector Ohio Valley (COTP) or a designated representative will inform the public through Broadcast Notice to Mariners (BNM), Local Notices to Mariners (LNM), or through other means of public notice at least 1 hour in advance of each enforcement period. A safety vessel will coordinate all vessel traffic during the enforcement of this safety zone.

(d) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Ohio Valley (COTP) or a designated representative. Persons or vessels desiring to enter into or pass through the zone must request permission from the COTP or a designated representative. They may be contacted on VHF-FM radio channel 16 or phone at 1-800-253-7465.

(2) Persons and vessels permitted to enter this safety zone must transit at the slowest safe speed and comply with all lawful directions issued by the COTP or a designated representative.

(e) *Informational broadcasts.* The COTP or a designated representative will inform the public through broadcast notices to mariners BNMs, LNs, and other means of the enforcement period for the temporary safety zone as well as any changes in the planned schedule.

Dated: April 6, 2018.

M.A. Wike,

Commander, U.S. Coast Guard, Acting Captain of the Port Sector Ohio Valley.

[FR Doc. 2018-07451 Filed 4-10-18; 8:45 am]

BILLING CODE 9110-04-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

Universal Service

CFR Correction

■ In Title 47 of the Code of Federal Regulations, Parts 40 to 69, revised as of October 1, 2017, on page 186, in § 54.410, make the following corrections:

- In paragraph (f)(2)(iii), remove the words “the National Verifier, state Lifeline administrator, or state agency” and add, in their place, “the eligible telecommunications carrier”;
- In paragraph (f)(4), remove the words “re-certification or subscribers’ Lifeline” and add, in their place, “re-certification of subscribers’ Lifeline”;
- In paragraph (f)(5), remove the words “state agency’s inability” and add, in their place, “state agency that it is unable”.

[FR Doc. 2018–07531 Filed 4–10–18; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF THE TREASURY

48 CFR Parts 1009 and 1052

Department of the Treasury Acquisition Regulations; Tax Check Requirements

AGENCY: Department of the Treasury.

ACTION: Final rule.

SUMMARY: This rule finalizes without change an interim rule that amended the Department of the Treasury Acquisition Regulation (DTAR) by adding a subpart titled “Responsible Prospective Contractor” and a paragraph concerning Representation and certifications regarding responsibility matters, for the purpose of directing IRS contracting officers to the newly added DTAR subpart titled “Tax Check Requirement,” which prescribes the policies and procedures for performing a tax check on the apparent successful offeror in order to determine eligibility to receive an award.

DATES: Effective date: May 11, 2018.

FOR FURTHER INFORMATION CONTACT: Thomas O’Linn, Procurement Analyst, Office of the Procurement Executive, at (202) 622–2092.

SUPPLEMENTARY INFORMATION:

I. Background

The DTAR, which supplements the Federal Acquisition Regulation (FAR), is codified at 48 CFR Chapter 10.

It is in the interest of the United States Government to only award contracts to entities that are responsible and law abiding. This is codified in FAR 9.104 by requiring contracting officers to perform a responsibility determination prior to each contract award by using the standards at FAR 9.104–1, as well as consider information submitted by the contractor and information they research or acquire from other sources. The IRS administers the Internal Revenue Code as enacted by Congress. Since fiscal year 2012, language in the annual consolidated Appropriations Act has prohibited the Federal Government under various conditions from using appropriated funds to enter into a contract with a prospective contractor unless the prospective contractor certifies in writing that it has not been notified of any unpaid Federal tax assessment. Most recently, Sections 744 and 745 of Division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113–235) prohibits the Federal Government from entering into a contract with any corporation where the awarding agency is aware of an unpaid Federal tax liability.

For purposes of tax administration, the IRS has access to taxpayer return information that is not otherwise available to other Federal Agencies pursuant to 26 U.S.C. 6103(h)(1). The Department of the Treasury has determined that an IRS contractor’s compliance with the tax laws is a tax administration matter. Additionally, 26 U.S.C. 6103(c) authorizes the IRS to disclose a taxpayer’s return information to such person(s) as the taxpayer may designate in a consent to such disclosure. In many cases, however, the official signing a contract proposal on behalf of an offeror will not be an official to whom the IRS is authorized to disclose the offeror’s tax information. Thus, in order to ensure that IRS is authorized to discuss the offeror’s own tax information with an authorized official of the offeror, a consent to disclosure is required. This consent to disclosure must be in the form of a separate written document pertaining solely to the authorized disclosure and must be signed and dated by an authorized person as required and defined in 26 U.S.C. 6103(c) and 26 CFR 301.6103(c)–1(e)(4).

II. Interim Rule

On November 16, 2017 (82 FR 53426), the Department issued an interim rule to amend the DTAR to establish policies and procedures that facilitate successful, timely, and economical execution of IRS contractual actions in

compliance with the FAR and various appropriation restrictions. Specifically, the interim rule established an express requirement for IRS contracting officers to use taxpayer return information that is available only to IRS to perform a tax check on the apparent successful offeror for purposes of determining eligibility to enter into a contract with the IRS. The IRS has established an internal Procedure, Guidance and Information (PGI) that further supplements the DTAR requirement for IRS contracting officers to use when conducting a tax check. To ensure compliance with 26 U.S.C. 6103(h)(1) and to safeguard taxpayer return information, the PGI restricts the number of personnel within the IRS Office of Procurement who have access to tax compliance information. The PGI also limits the amount of information provided to the contracting officer regarding a delinquent Federal tax liability. Upon notification by the contracting officer that the offeror has a delinquent Federal tax liability, the offeror may provide the contracting officer with documentation that demonstrates the offeror’s tax status as paid-in-full or that an approved payment agreement has been reached, at which time the contracting officer will coordinate with the appropriate office within IRS to validate the offeror’s tax status (see FAR 9.104–5(a)(1), (b)(1) and (e)).

The offeror may want to take steps to confirm it does not have a delinquent Federal tax liability prior to submission of its response to the solicitation. If the offeror recently settled a delinquent Federal tax liability, the offeror may want to take steps to obtain information in order to demonstrate the offeror’s responsibility to the contracting officer, if such information is requested (see FAR 9.104–5(a)(1) and (b)(1)).

The interim rule supplemented paragraph (b) of FAR 9.104–5, Representation and certifications regarding responsibility matters, for the purpose of directing IRS contracting officers to the newly added DTAR subpart 1009.70, which prescribes the policies and procedures for performing a tax check on the apparent successful offeror to determine eligibility to receive an award.

The interim rule added DTAR subparts 1009.1, Responsible Prospective Contractors, and 1009.70, Tax Check Requirements. This latter subpart prescribes the policies and procedures IRS contracting officers will use for performing a tax check on the apparent successful offeror to determine eligibility to receive an award. Definitions of terms “authorized representative(s) of the offeror,”

“delinquent Federal tax liability,” and “tax check” are included within this subpart. The definition of “authorized representative(s) of the offeror” is the person(s) identified to the IRS contracting officer by the offeror as authorized to represent the offeror in disclosure matters pertaining to the offer. The definition of “delinquent Federal tax liability” is derived from language within the FAR concerning Federal tax delinquency and unpaid Federal tax assessment (see FAR 9.104–5). The definition of “tax check” is an IRS process that accesses and uses taxpayer return information, that is available only to IRS, to support the Government’s determination of an offeror’s eligibility to receive an award, including but not limited to implementation of the statutory prohibition of making an award to corporations that have an unpaid Federal tax liability (see FAR 9.104–5(b)).

The interim rule added a provision to be inserted in all IRS solicitations regardless of dollar value, including those for commercial items. The provision will notify offerors that the IRS will conduct a tax check because the Department of the Treasury has determined that an IRS contractor’s compliance with the tax laws is a tax administration matter, and that taxpayer return information is needed for determining an offeror’s eligibility to receive an award, including but not limited to implementation of the statutory prohibition of making an award to corporations that have an unpaid Federal tax liability (see FAR 9.104–5(b)). The provision also contains a consent to disclosure to be signed and dated by a person authorized to act on behalf of the offeror as defined in 26 CFR 301.6103(c)–1(e)(4). The consent to disclosure authorizes the officers and employees of the Department of the Treasury, including the IRS, to disclose the results of the tax check to the person(s) authorized by the offeror via the signed consent to disclosure.

Under the interim rule, this provision applies to all IRS solicitations regardless of the dollar value, including commercial items (including Commercially Available Off-the-Shelf items). This determination is consistent with the FAR requirements regarding the inclusion of the provisions 52.209–5, 52.209–11 and 52.212–3 as well as various appropriation restrictions.

III. Summary of Public Comments and This Final Rule

The comment period for the interim rule closed on January 16, 2018. Treasury received twenty-seven

comments and twenty-six of those were outside of the scope of the regulation. The one comment within the scope supported the rule. The commenter noted that the rule will improve the contracting system by making the award process fairer and more efficient. Accordingly, the interim rule is adopted in this final rule without change.

IV. Regulatory Procedures

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.

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. chapter 6) generally requires agencies to conduct an initial regulatory flexibility analysis and a final regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities.

It is hereby certified that this final rule will not have a significant economic impact on a substantial number of small entities. In this final rule, the Department is adopting an interim rule without change. The interim rule amended the DTAR to establish an internal process that strengthens IRS’ compliance with appropriation act restrictions and the FAR prohibition of entering into a contract with contractors having a delinquent Federal tax liability (see FAR subpart 9.1) and should not have significant economic impacts on small entities other than the potential for not receiving award if the small entity has a delinquent Federal tax liability. This rule does not impose any new reporting, recordkeeping or other compliance requirements. The rule does not duplicate, overlap, or conflict with other Federal rules.

List of Subjects in 48 CFR Parts 1009 and 1052

Government procurement.

For reasons set forth in the preamble, the interim rule published on November 16, 2017 (FR Doc. 2017–24911) is adopted as final without change.

Dated: March 6, 2018.

Iris B. Cooper,

Senior Procurement Executive.

[FR Doc. 2018–07458 Filed 4–10–18; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 23

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

CFR Correction

■ In Title 50 of the Code of Federal Regulations, Parts 18 to 199, revised as of October 1, 2017, on page 180, in § 23.24, Code “F” is reinstated for Source of specimen “(d) Captive-bred wildlife (§ 23.36):”.

[FR Doc. 2018–07529 Filed 4–10–18; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 170815763–8270–02]

RIN 0648–BH13

International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions for Tropical Tuna in the Eastern Pacific Ocean for 2018 to 2020

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

ACTION: Final rule.

SUMMARY: NMFS is issuing regulations under the Tuna Conventions Act to implement Resolution C–17–02 (*Conservation Measures for Tropical Tunas in the Eastern Pacific Ocean During 2018–2020 and Amendment to Resolution C–17–01*), which was adopted at the 92nd Meeting of the Inter-American Tropical Tuna Commission (IATTC) in July 2017. This final rule implements the C–17–02

fishing management measures for tropical tuna (*i.e.*, bigeye tuna (*Thunnus obesus*), yellowfin tuna (*Thunnus albacares*), and skipjack tuna (*Katsuwonus pelamis*)) in the eastern Pacific Ocean (EPO). This final rule imposes the following on purse seine vessels with carrying capacity greater than 182 metric tons (mt) fishing for tropical tuna in the EPO: A 72-day EPO-wide closure, a 31-day area closure, and a requirement that—with some exceptions—all tropical tuna be retained and landed. In addition, this final rule revises the restrictions for exemptions due to force majeure, establishes a bigeye tuna catch limit of 750 mt for U.S. longline vessels greater than 24 meters in overall length, and regulates the use and design of fish aggregating devices. This final rule is necessary for the conservation of tropical tuna stocks in the EPO and for the United States to satisfy its obligations as a member of the IATTC.

DATES: This rule is effective May 11, 2018, except for the amendments to 50 CFR 300.24(qq) and 300.28(e), which are effective on January 1, 2019.

ADDRESSES: Copies of the Environmental Assessment, revised Regulatory Impact Review, and other supporting documents are available via the Federal eRulemaking Portal: <http://www.regulations.gov>, docket NOAA–NMFS–2017–0129, or by contacting the Highly Migratory Species Branch Chief, Heidi Taylor, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90208, RegionalAdministrator.WCRHMS@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Rachael Wadsworth, NMFS at 562–980–4036.

SUPPLEMENTARY INFORMATION:

Background

On November 14, 2017, NMFS published a proposed rule in the **Federal Register** (82 FR 52700) to implement provisions of Resolution C–17–02 (*Conservation Measures for Tropical Tunas in the Eastern Pacific Ocean During 2018–2020 and Amendment to Resolution C–17–01*) adopted by the Inter-American Tropical Tuna Commission (IATTC or Commission) by consensus at its 92nd meeting in July 2017, in Mexico City, Mexico. The proposed rule contains additional background information, including information on the IATTC and its Convention Area, the international obligations of the United States as an IATTC member, and the need for regulations. The 30-day public comment period for the proposed rule closed on December 14, 2017.

The final rule is implemented under the Tuna Conventions Act (16 U.S.C. 951 *et seq.*). This final rule applies to U.S. purse seine and longline vessels greater than 24 meters (m) in overall length fishing for tropical tunas in the IATTC Convention Area from May 11, 2018. The IATTC Convention Area is defined as waters of the eastern Pacific Ocean (EPO) within the area bounded by the west coast of the Americas and by 50° N latitude, 150° W longitude, and 50° S latitude.

As specified under Resolution C–17–02, the final rule continues to apply three regulations for the U.S. fleet that were in effect in 2017, revises several regulations for both purse seine and longline vessels, adds a description of the process for transferring longline bigeye tuna catch limits between countries, and imposes new restrictions on fish aggregating device (FAD) deployment and removal, reporting, and design standards. Because the preamble of the proposed rule contained detailed information on the maintained and revised measures, this final rule will briefly summarize these measures and include more detail on the new measures.

Regulations Continued From Previous Years

The final rule continues to apply the regulations effective in previous years, including 2017, for purse seine vessels of class sizes 4–6 (carrying capacity greater than 182 metric tons (mt)) fishing for tropical tuna in the EPO. This includes a 72-day EPO-wide fishing closure period, a time/area closure in the EPO for 31 days, and a requirement that all tropical tuna be retained on board and landed, except fish considered unfit for human consumption for reasons other than size. The final rule continues to allow a single exception on the final set of a trip, when there may be insufficient space remaining to accommodate all the tuna caught in that set.

Regulations Continued From Previous Years With Some Revisions

The final rule also increases the catch limit from 500 mt to 750 mt for bigeye tuna caught in the EPO by U.S. longline vessels greater than 24 meters (m).

The final rule narrows the definition of force majeure and adjusts the number of days a purse seine vessel would need to observe the 72-day closure period, if granted a force majeure exemption, from 30 days to 40 days. The final rule allows the reduced closure period to be observed in the year the force majeure event occurred, or if the vessel already observed a 72-day closure period in the

year the event occurred, in the following year. The final rule requires all size class 4–6 purse seine vessels granted an exemption due to force majeure to carry an observer.

NMFS is also adding a procedural requirement in the final rule to the regulations governing exemptions due to force majeure. Currently, the regulations do not have a required deadline for vessel owners or operators to submit information to NMFS for force majeure exemption requests. The final rule requires U.S. vessel owners or operators requesting an exemption due to force majeure to send the request to NMFS within 20 calendar days after the vessel has been unable to proceed to sea for the same amount of days as the closure period (*i.e.*, 72 days). Although Resolution C–17–02 specifies that the request must be sent to the IATTC Secretariat “. . . at the latest one month after it happens,” NMFS is requiring the information to be sent to NMFS within 20 calendar days to allow for additional time to review and process the request before NMFS sends the information to the IATTC Secretariat.

In addition, the final rule removes two regulations that were in effect in 2017: (1) The exception for allowing a purse seine vessel with a dolphin mortality limit to fish for 10 days during the closure period; and (2) the exception that allowed purse seine vessels of class size 4 (*i.e.*, vessels with a carrying capacity between 182 and 272 mt) to make a single fishing trip of up to 30 days during the closure period, provided that any such vessel carries an observer.

New Regulations Beginning in 2018

Bigeye tuna longline transfers. Resolution C–17–02 regulates, for the first time, the practice of IATTC members or cooperating non-members (collectively known as CPCs) transferring catch limits for bigeye tuna in the EPO for longline vessels greater than 24 m in overall length. The previous IATTC resolutions on tropical tuna did not address transfers of bigeye tuna catch limit in the EPO. NMFS and U.S. Department of State are responsible for arranging any transfers of a bigeye tuna catch limit for the United States with another IATTC CPC. Currently, the IATTC CPCs with which the United States could conduct a transfer, per paragraph 16 of Resolution C–17–02, include China, Japan, South Korea, and Chinese Taipei. In accordance with paragraph 18 of Resolution C–17–02, NMFS and U.S. Department of State will ensure that the total catch limit transferred either to or from the United States does not exceed 30 percent of the

catch limit designated to those IATTC CPCs or the United States, respectively, by the IATTC. In addition, these transfers may not retroactively cover an overage of a U.S. catch limit for bigeye tuna. The United States may not retransfer to a CPC any of the transferred catch limit it receives from another CPC.

Per requirements of the Resolution, NMFS will notify the IATTC of the transfer 10 days in advance, either separately or with the other CPC transferring catch. The notification would specify the tonnage to be transferred and the year in which the transfer would occur. NMFS will be responsible for the management of the transferred catch limit, including monitoring and monthly reporting of catch.

If the United States engages in a transfer of a bigeye tuna catch limit with another CPC, NMFS will publish a notice in the **Federal Register** announcing the new catch limit for bigeye tuna in the EPO that is available to U.S. longline vessels over 24 m in overall length.

Restrictions on Active FADs. This final rule defines the term “Active FAD” as a FAD that is equipped with gear capable of tracking location, such as radio or satellite buoys. While the regulatory text of the proposed rule would not have prohibited the continued deployment of FADs that are not “active,” NMFS sought public comment on the potential burden of such a prohibition in order to facilitate enforcement, monitoring, and reporting. Subsequently, NMFS was informed by industry that all FADs deployed by U.S. purse seine vessels meet the criteria for “Active FADs.” Because the burden on U.S. industry would appear to be nonexistent under prevailing practice, but the management value is substantial, the final rule prohibits the deployment of FADs that are not Active FADs. Mere possession of non-Active FADs on a vessel is allowed under the regulations, but only Active FADs may be deployed by U.S. vessels in the IATTC Convention Area. Resolution C–17–02 specifies that an Active FAD may be activated only while it is onboard a purse seine vessel. To implement this provision, the final rule specifies that an Active FAD will be considered active at all times unless/until the tracking equipment is removed and the vessel owner or operator notifies NMFS Highly

Migratory Species (HMS) Branch or the IATTC that this FAD is no longer active (*i.e.*, deactivated). In accordance with Resolution C–17–02, each purse seine vessel on the IATTC Regional Vessel Register that has a well volume of 1,200 m³ or more has a limit of 450 Active FADs that can be active at any one time.

Reporting on Active FADs. U.S. vessel owners and operators are required to maintain daily information on all Active FADs deployed in the water in the IATTC Convention Area and report this information monthly to the address specified by NMFS HMS Branch. NMFS will distribute guidance regarding the reporting requirements to U.S. purse seine vessel owners and operators prior to the effective date of the final rule. These reports must be submitted no later than 90 days after the month covered by the report. For example, reports covering the month of January 2018 must be submitted on or before May 1, 2018.

The final rule also requires that reports on FAD interactions, which are already required by regulations at 50 CFR 300.25(i), must be submitted within 30 days of each landing or transshipment of tuna or tuna-like species.

FAD deployment and removals. The final rule specifies that U.S. vessel owners, operators, and crew of purse seine vessels of class sizes 4–6 must ensure that FADs are not deployed during a period of 15 days prior to the start of the 72-day closure period selected by the vessel per 50 CFR 300.25(e)(1). In addition, the regulations specify that if a U.S. vessel owner, operator, and crew of a purse seine vessel of class size 6 chooses to set on FADs during this 15 day period, they must remove from the ocean a number of FADs equal to the number of FADs set upon by the vessel during this same 15 day period.

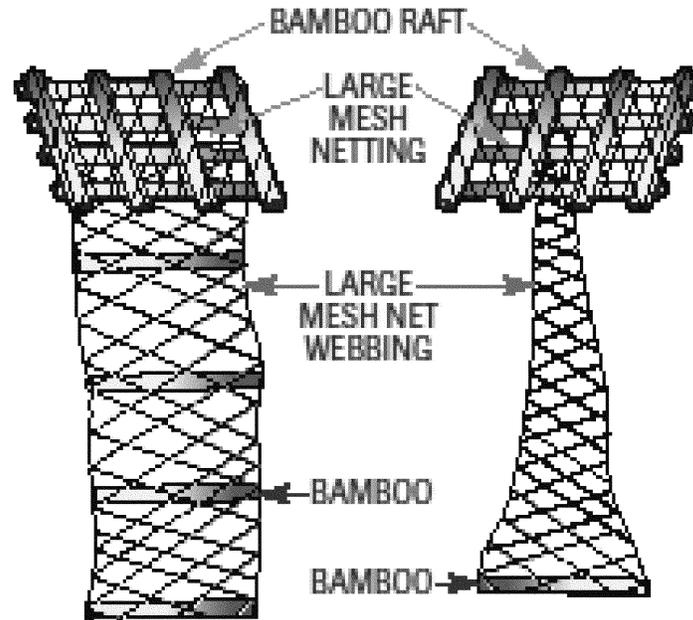
FAD designs to reduce entanglements. As specified under IATTC Resolution C–17–02, the FAD design requirements that are intended to reduce entanglements will become effective on January 1, 2019, which is later than the effective date for the rest of the rule. Resolution C–17–02 includes broadly worded restrictions on the use of entangling material on FADs. In the proposed rule, NMFS proposed two options to meet the Resolution restrictions by following guidance developed by the International Seafood

Sustainability Foundation (ISSF) Guide for Non-Entangling FADs (ISSF Guide) (available at: <https://issf-foundation.org/knowledge-tools/guides-best-practices/non-entangling-fads/download-info/issf-guide-for-non-entangling-fads/>). The two options proposed were: (1) The “Lower Entanglement Risk FADs” (*e.g.*, only small mesh netting (*i.e.*, 7 cm/2.5 in or less stretched mesh) and must be tightly tied into bundles (“sausages”), or formed into a panel that is weighted so as to keep it taut); or (2) “Non-Entangling FADs” (*e.g.*, no mesh netting in FAD) as described in the ISSF Guide. NMFS proposed these options to establish clear standards for FAD designs that meet the requirements of Resolution C–17–02. In addition, NMFS solicited information from the public on additional materials or configurations that have been demonstrated to reduce or avoid entanglements when used in FAD construction, but did not receive any new suggestions on FAD material or design.

NMFS received a comment from the American Tunaboat Association (ATA), which represents large U.S. purse seine vessels that fish in the EPO, on the proposed regulations for FAD design. The ATA objected to these proposed regulations because the restrictions would go beyond the explicit requirements of Resolution C–17–02 and thereby create an unfair playing field for the U.S. fleet compared to the fleets of other IATTC CPCs. In consideration of ATA’s comment, NMFS is modifying the proposed regulations in this final rule.

This final rule prohibits only two FAD design features that are suggested by ISSF to have the highest risk of entangling marine life. Based on ISSF guidance, FADs with the highest risk of entanglement use large mesh netting, such as 4.25 to 8 inch stretched mesh, that hang freely beneath the FAD (Figure 1). At this time, NMFS is not limiting the size of the net mesh used in the FAD design, but under the final rule, any netting used in the subsurface structure of the FAD must be tightly tied into bundles (“sausages”). In addition, if the FAD design includes a covered raft (*e.g.*, flat raft or rolls of material) and if mesh netting is used for the cover, the mesh netting must be tightly wrapped around the entire raft such that no loose netting hangs below the FAD.

Figure 1. FAD design with highest risk of entanglement according to ISSF Guide for Non-entangling FADs (available at: <https://issf-foundation.org/knowledge-tools/guides-best-practices/non-entangling-fads/download-info/issf-guide-for-non-entangling-fads/>).



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NMFS believes that these requirements will effectively prohibit FAD designs that are most dangerous for bycatch species, such as sharks. Furthermore, the requirements are sufficiently specific to be enforceable. NMFS believes that these restrictions also will allow U.S. industry to operate on an equal playing field relative to our IATTC partners. NMFS recognizes that any netting used in a FAD may become loose over time, yet in order to achieve the intent of the Resolution, the netting must remain secure and tight whenever deployed. Therefore, NMFS reminds the fleet that in order to comply with these regulations, the purse seine operators must remain vigilant in maintaining and securing all mesh net used in FADs.

NMFS has opted to establish standards that are more specific than the Resolution to aid with compliance and enforcement, and further the intent of the Resolution that member nations should design and deploy FADs “to avoid entangling marine life.” NMFS recognizes that the IATTC is expected to conduct more work to define non-entangling FADs and to develop specific guidance on materials and designs for FADs. NMFS intends to work with the

IATTC FAD Working Group and the Commission to clarify non-entangling FAD requirements to ensure consistency between IATTC CPCs. NMFS will update these regulations, as appropriate, when guidance is adopted by the IATTC.

Public Comments and Responses

NMFS received six comments during the 30-day public comment period that closed on December 14, 2017, and one comment after the comment period closed. Two comments were anonymous, two were from members of the public, and the remaining were from representatives of the Hawaii Longline Association (HLA), the Marine Mammal Commission (MMC), and the ATA. Three commenters supported the regulations as proposed, and one opposed the proposed rule because the regulations proposed to increase the longline catch limit for bigeye tuna. One of the anonymous commenters did not comment on the proposed regulations directly, but expressed views on global warming, and although this topic is not entirely outside the general subject matter of fisheries management, it does not warrant a response. The other

comments are detailed below with responses from NMFS.

Comment 1: The commenter expressed support for the proposed regulations and supported the use of tracking gear for researchers to monitor catch levels and closure areas. The commenter recommended this data be available to the public for assistance in monitoring vessels that break the rules.

Response: NMFS thanks the commenter for their support for the proposed regulations. In response to the commenter’s request that vessels be tracked with the aim to aid in enforcement, NMFS notes that the IATTC requires the installation of a vessel monitoring system (VMS) unit for large tuna fishing vessels greater than 24 m in overall length fishing in the EPO (see 50 CFR 300.26). This information is used to aid in U.S. enforcement with fisheries regulations such as closure areas. The VMS information data for these vessels is sent to NMFS Office of Law Enforcement and U.S. Coast Guard and is used strictly for enforcement purposes; however, this information may not be released publicly under the Trade Secrets Act because it is commercially confidential.

Comment 2: The commenter supported implementing the proposed regulations and noted that the United States should be a role model for other nations and should continue to ensure overfishing does not occur. The commenter also supported the management measures on FADs and expressed the view that FADs should be banned in all countries throughout the year. The commenter noted that FAD fishing is inefficient and not worth the cost of all the marine life killed as bycatch in FADs.

Response: NMFS thanks the commenter for their support of the proposed regulations, and for highlighting the obligation of the United States to domestically implement measures adopted by the IATTC. In response to the commenter's recommendation that FADs be banned, this goes beyond the scope of this rule, which implements a specific resolution adopted by the IATTC. However, recommendations on new FAD management measures can be considered by the U.S. delegation when formulating U.S. positions during IATTC deliberations.

In response to the commenter's view that FADs are inefficient and contribute to wasteful bycatch, NMFS agrees that bycatch should continue to be mitigated through management measures. This final rule implements new restrictions on FADs, including requirements for designs that are intended to reduce the entanglement of bycatch species, such as sharks. NMFS intends to continue working with the IATTC Bycatch Working Group and the Commission to reduce bycatch in tuna fisheries in the EPO.

Comment 3: The commenter opposed these proposed regulations because it would increase the bigeye tuna catch limit for U.S. longline vessels greater than 24 m in overall length in the EPO. The commenter also expressed the view that the FAD regulations are not restrictive enough and should require biodegradable materials be used on FADs. In addition, the commenter recommended that catch levels for tunas should be decreased in the EPO and referenced papers on FADs and overfishing for tuna.

Response: NMFS thanks the commenter for their views on the proposed regulations. In response to the commenter's opposition to an increase in the U.S. bigeye tuna catch limit, the IATTC's goal is to manage stocks to levels that produce maximum sustainable yield (MSY) under the Antigua Convention. Because the stock assessment for bigeye tuna in the EPO conducted by the IATTC scientific staff

in 2017 did not show the stock biomass to be below MSY or fishing levels to be above MSY, the IATTC approved this small increase for the United States. As explained in the Classification section of the proposed rule, the increase in U.S. catch limit of 250 mt represents a 0.45 percent increase of the total international catch limit in the EPO. The IATTC staff estimated that this increase represents less than a 1 percent increase in fishing mortality for the EPO stock of bigeye tuna.

In response to the recommendation for biodegradable FADs, NMFS agrees that biodegradable materials are useful to reduce marine debris. Although the IATTC has not adopted binding measure on biodegradable FADs, Annex II of IATTC Resolution C-16-01 urges the promotion of biodegradable FADs as a voluntary measure, and NMFS expects this issue to be discussed more in the IATTC FAD Working Group, as well as by the Commission.

Comment 4: HLA expressed support for the increase in the bigeye tuna longline catch limit from 500 to 750 mt and also for the proposed regulation to allow a transfer of bigeye tuna catch. In addition, HLA requested that NMFS ensure any transferred catch limit of bigeye tuna be expedited by prompt notice in the **Federal Register** to avoid delays that have occurred in the western Pacific Ocean when increases in catch limits have taken place.

Response: NMFS thanks HLA for its views on these regulations. If any catch limit is transferred to the United States from another CPC, NMFS will make every effort to promptly publish this notice in the **Federal Register**.

Comment 5: The ATA commented that the proposed requirements for "Lower Entanglement Risk FADs" and "Non-Entangling FADs" go beyond the requirements in Resolution C-17-02 and promote an unequal playing field that would disadvantage the U.S. purse seine fleet.

Response: NMFS thanks ATA for its perspective on the proposed regulations on "Lower Entanglement Risk FADs" and "Non-Entangling FADs." In response to this comment, NMFS concluded that the proposed regulations were within the overall mandate of the Resolution to minimize entanglement and fell within the discretion of the Secretary to devise and promulgate an enforceable interpretation of a binding IATTC Resolution. However, NMFS agrees with the ATA that the specific material and gear requirements for non-entangling FADs need to be further clarified by the IATTC to ensure consistency. Therefore, NMFS has taken

into consideration ATA's comments in this final rule.

In the final rule, the proposal has been modified in a way that is still specific and aids with compliance and enforcement. The rule prohibits only design features that are shown by ISSF to have the highest risk of entangling marine life. Based on ISSF guidance, FADs with the highest risk of entanglement use large mesh netting that hangs freely beneath the FAD. Under these regulations, this design is prohibited and if any mesh netting is used in the subsurface part of the FAD it must be tightly rolled into "sausages." This option was chosen because the standard can be understood by the regulated community and is enforceable, while at the same time not being overly restrictive compared to other IATTC CPCs.

Although the text in Resolution C-17-02 is broad, many countries seem to be using FAD materials and designs that are consistent with the "Lower Entanglement Risk FADs" and "Non-Entangling FADs" as described by ISSF. According to information collected by ISSF, the U.S. purse seine fleet uses the highest risk of entangling materials on FADs and the majority of the other IATTC members surveyed by ISSF used a combination of the "Lower Entanglement Risk FADs" and "Non-Entangling FADs."¹

Given that the FAD design provisions of the Resolution must be implemented no later than January 1, 2019, NMFS intends to keep working with the IATTC FAD Working Group and the Commission to clarify non-entangling FAD requirements to ensure consistency between IATTC CPCs. NMFS will update these regulations, as appropriate, when guidance is adopted by the IATTC.

Comment 6: The Marine Mammal Commission (MMC) supported the proposed regulations on FADs and, in particular, on non-entangling FADs. The MMC noted the large whale entanglements in FADs in other oceans, and stated that the design and management of FADs can have a considerable impact on various marine species, including marine mammals.

In addition, the MMC recommended that the U.S. delegation to the IATTC continue to press for sufficient observer coverage and vessel reporting requirements for all IATTC CPCs to provide reliable data on the impact of

¹ ISSF 2017: Available online at: <https://issf-foundation.org/download-monitor-demo/download-info/issf-2017-07-towards-global-non-entangling-fish-aggregating-device-fad-use-in-tropical-tuna-purse-seine-fisheries-through-a-participatory-approach/>.

FADs and related purse seine fishing operations on cetaceans. Given the evidence that large whales interact with both FADs and the tuna purse seine fisheries that deploy and set on FADs, the MMC believes that designing FADs that are less likely to entangle large fauna is an important effort that should be supported.

Response: NMFS thanks the MMC for its view on these proposed regulations and for highlighting the concern that FADs have the potential to entangle whales. NMFS notes that the IATTC requires 100 percent observer coverage on large purse seine vessels that fish with FADs. The observers onboard these purse seine vessels have reported interactions with whales and FADs. However, NMFS is not aware of discussions regarding interactions between whales and FADs within the IATTC. The IATTC and Agreement on the International Dolphin Conservation Program do not require observers on purse seine vessels with a carrying capacity of less than 363 mt; however, there are two situations where an observer is required on these vessels: (1) If the vessel of class sizes 1 to 5 (less than 363 mt in carrying capacity) has committed an infraction by setting on dolphins, or (2) if a purse seine vessel of class sizes 4–6 (more than 182 mt but less than 363 mt in carrying capacity) has been granted an exemption due to force majeure and wishes to fish during the closure period. The IATTC and Scientific Advisory Committee have discussed the need for observers on smaller vessels, including options for electronic monitoring, and the U.S. delegation has supported these recommendations.

In response to the request for NMFS to implement the Resolution requirement for non-entangling FADs, as explained in the preamble, NMFS will implement elements of the proposed regulations that are considered the highest risk for entanglement. NMFS recognizes the text in Resolution C–17–02 and C–16–01 needs to be clarified by the IATTC and NMFS intends to work on this issue within the IATTC.

Changes From the Proposed Rule

NMFS is changing the regulatory text in the final rule from the proposed rule that relate to Active FADs, material and designs to reduce entanglements on FADs, and the process for exemptions due to force majeure.

As explained in the preamble, NMFS is adding a prohibition against deploying non-Active FADs in the EPO. NMFS solicited input from the public on this particular issue and, through

discussion with industry, learned that the U.S. already deploys only Active FADs. In addition, the final regulation limits the daily reporting requirement for Active FADs only to FADs that are deployed in the water.

For reasons explained in the preamble above and in response to public comment, NMFS is modifying the proposed regulations on “Lower Entanglement Risk FADs” and “Non-Entangling FADs.” NMFS is revising the proposed regulations on the FAD material and design to require any mesh netting used in the subsurface structure of the FAD to be rolled. If mesh netting is used for the cover of the FAD raft, the mesh netting shall be tightly wrapped around the entire raft such that no loose netting hangs below the FAD when deployed.

NMFS is adding a procedural requirement to the regulations governing exemptions due to force majeure to be consistent with Resolution C–17–02, which requires that any request be sent to the IATTC “at the latest” 1 month after the force majeure event. NMFS is requiring the information to be sent to NMFS within 20 calendar days after the vessel has been unable to proceed to sea for 72 days because of a force majeure event to allow for additional time to review and process the request before NMFS sends the information to the Secretariat. NMFS is adding this requirement to ensure that any force majeure request submitted by U.S. purse seine vessel owners and operators are not disqualified by the IATTC Secretariat for issues related to timing of the request. The IATTC has final control over whether force majeure requests are accepted, and NMFS is adding the 20-day deadline to better ensure we are able to submit the requests to IATTC in a timely manner.

NMFS is removing the reference to carrying capacity in metric tons in 50 CFR 300.28(c) to be consistent with Resolution C–17–02 and to eliminate possible confusion with conversions between metric tons and cubic meters. In addition, NMFS is making various non-substantive revisions to the regulatory text for clarity or ease of reading.

Classification

After consultation with the Departments of State and Homeland Security, the NMFS Assistant Administrator has determined that this final rule is consistent with the Tuna Conventions Act of 1950, as amended, and other applicable laws, subject to further consideration after public comment.

This rule has been determined to be not significant for purposes of Executive Order 12866.

This rule contains a collection-of-information requirement subject to the Paperwork Reduction Act (PRA) and which has been approved by OMB Control Number 0648–0148. NMFS amended the supporting statement for the West Coast Region Pacific Tuna Fisheries Logbook and Fish Aggregating Device Form, Office of Management and Business (OMB) PRA requirements (OMB Control No. 0648–0148) to include the data collection requirements for FADs as described in the preamble. NMFS estimates that the public reporting burden for this collection of information will average 3 minutes per form, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this data collection, including suggestions for reducing the burden, to NMFS (see **ADDRESSES**) and by email to *OIRA_Submission@omb.eop.gov*, or fax to (202) 395–5806.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number. All currently approved NOAA collections of information may be viewed at: http://www.cio.noaa.gov/services_programs/prasubs.html.

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 605(b), the Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. Further details on the factual basis for the certification were published in the proposed rule (November 14, 2017, 82 FR 52700) and are not repeated here. No comments were received regarding the certification, and none of the changes from the proposed to the final rule will increase costs to the affected public. Therefore, the certification published with the proposed rule that states this rule is not expected to have a significant economic impact on a substantial number of small entities is still valid. As a result, a regulatory flexibility analysis was not required and none was prepared.

The Assistant Administrator for Fisheries has determined that good cause exists under 5 U.S.C. 553(b)(B), to waive the requirement for providing advance notice and comment for requiring force majeure requests to be sent to NMFS within 20 calendar days to allow for additional time to review and process the request before NMFS sends the information to the IATTC Secretariat. If this regulation were delayed pending publication of a proposed rule and consideration of additional public comments, no time limits would be in place and therefore U.S. purse seine vessels might be disqualified by the IATTC Secretariat for issues related to the timing of the request. Additionally, this is a relatively minor procedural requirement that imposes a minimal regulatory burden.

List of Subjects in 50 CFR Part 300

Administrative practice and procedure, Fish, Fisheries, Fishing, Marine resources, Reporting and recordkeeping requirements, Treaties.

Dated: April 5, 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 300, subpart C, is amended as follows:

PART 300—INTERNATIONAL FISHERIES REGULATIONS

Subpart C—Eastern Pacific Tuna Fisheries

■ 1. The authority citation for 50 CFR part 300, subpart C, continues to read as follows:

Authority: 16 U.S.C. 951 *et seq.*

■ 2. In § 300.21, add a definition, in alphabetical order, for “Active FAD” and revise the definition for “Force majeure” to read as follows:

§ 300.21 Definitions.

* * * * *

Active FAD means a FAD that is equipped with gear capable of tracking location, such as radio or satellite buoys. A FAD with this equipment attached shall be considered an Active FAD unless/until the equipment is removed and the vessel owner or operator notifies the IATTC or HMS Branch that the FAD is no longer active (*i.e.*, deactivated).

* * * * *

Force majeure means, for the purpose of § 300.25, a situation in which a vessel at sea, except while transiting between ports on a trip during which no fishing

operations occur, is disabled by mechanical and/or structural failure, fire or explosion.

* * * * *

■ 3. In § 300.22, the section heading and the heading for paragraph (a) are revised, add a heading for paragraph (a)(1), and paragraph (a)(3) is added to read as follows:

§ 300.22 Recordkeeping and reporting requirements.

(a) *Logbooks and reporting on whale sharks and FADs*—(1) *Logbook reporting.* * * *

(3) *FAD data reporting for purse seine vessels*—(i) *Reporting on FAD interactions.* U.S. vessel owners and operators must ensure that any interaction or activity with a FAD is reported using a standard format provided by the HMS Branch. The owner and operator shall ensure that the form is submitted within 30 days of each landing or transshipment of tuna or tuna-like species to the address specified by the HMS Branch.

(ii) *Reporting on Active FADs.* U.S. vessel owners and operators must record or maintain daily information on all Active FADs that have been deployed in the water in the IATTC Convention Area in the format and to the address provided by the HMS Branch. This information must be submitted for each calendar month no later than 90 days after the month covered by the report.

* * * * *

■ 4. In § 300.24, revise paragraphs (m), (n), (ee), and (ff) and add paragraphs (kk) through (qq) to read as follows:

§ 300.24 Prohibitions.

* * * * *

(m) Fail to stow gear as required in § 300.25(a)(4)(iv) or (e)(6).

(n) Use a fishing vessel of class size 4–6 to fish with purse seine gear in the Convention Area in contravention of § 300.25(e)(1), (2), or (5).

* * * * *

(ee) Fail to ensure characters of a unique code are marked indelibly on a FAD deployed or modified on or after January 1, 2017, in accordance with § 300.28(a)(2).

(ff) Fail to record or report data on FADs as required in § 300.22(a)(3).

* * * * *

(kk) Activate the transmission equipment attached to a FAD in a location other than on a purse seine vessel at sea as required in § 300.28(b).

(ll) Fail to turn on the tracking equipment for an Active FAD before deploying at sea as required in § 300.28(b).

(mm) Deploy a FAD in the IATTC Convention Area that is not an Active FAD.

(nn) Have more Active FADs than specified in § 300.28(c) in the IATTC Convention Area at any one time.

(oo) Deploy a FAD in the IATTC Convention Area during a period of 15 days prior to the start of the selected closure period in contravention of § 300.28(d)(1).

(pp) Fail to timely remove from the water a number of FADs in the IATTC Convention Area equal to the number of FADs set upon by the vessel during the 15 days prior to the start of the selected closure period as required in § 300.28(d)(2).

(qq) Deploy, or have onboard a vessel, a FAD in the IATTC Convention Area that fails to comply with the FAD design requirements in § 300.28(e).

■ 5. Amend § 300.25 by:

■ a. Revising paragraphs (a)(1) and (2);

■ b. Adding paragraph (a)(5);

■ c. Revising paragraphs (e)(1) through (3), (e)(4) introductory text, and (e)(4)(ii);

■ d. Adding paragraphs (e)(4)(iii) and (iv);

■ e. Revising paragraphs (e)(5) and (6); and

■ f. Removing paragraphs (e)(7), (h), and (i).

The addition and revisions read as follows:

§ 300.25 Fisheries management.

(a) * * *

(1) Fishing seasons for all tuna species begin on 0000 hours Coordinated Universal Time (UTC) January 1 and end either on 2400 hours UTC December 31 or when NMFS closes the fishery for a specific species.

(2) For the calendar years 2018, 2019, 2020, there is a limit of 750 metric tons of bigeye tuna that may be caught by longline gear in the Convention Area by U.S. commercial fishing vessels that are over 24 meters in overall length. The catch limit within a calendar year is subject to increase if the United States receives a transfer of catch limit from another IATTC member or cooperating non-member, per paragraph (a)(5) of this section.

* * * * *

(5) If the United States engages in a transfer of a bigeye tuna catch limit with another IATTC member or cooperating non-member, NMFS will publish a notice in the **Federal Register** announcing the new catch limit that is available to U.S. commercial fishing vessels that are over 24 meters in overall length. All restrictions described in

paragraphs (a)(1) and (3) through (4) of this section will continue to apply.

* * * * *

(e) *Purse seine closures.* (1) *72-day closure.* A commercial purse seine fishing vessel of the United States that is of class size 4–6 (more than 182 metric tons carrying capacity) may not be used to fish with purse seine gear in the Convention Area for 72 days in each of the years 2018, 2019, and 2020 during one of the following two periods:

(i) From 0000 hours Coordinated Universal Time (UTC) July 29, to 2400 hours UTC October 8, or

(ii) From 0000 hours UTC November 9 to 2400 hours UTC January 19 of the following year.

(2) *Choice of closure period.* A vessel owner, manager, or association representative of a vessel that is subject to the requirements of paragraph (e)(1) of this section must provide written notification to the Regional Administrator declaring to which one of the two closure periods identified in paragraph (e)(1) of this section his or her vessel will adhere in that year. This written notification must be submitted by fax at (562) 980–4047 or email at *RegionalAdministrator.WCRHMS@noaa.gov* and must be received no later than July 1 prior to the first closure period within a calendar year. The written notification must include the vessel name and registration number, the closure dates that will be adhered to by that vessel, and the vessel owner or managing owner’s name, signature, business address, and business telephone number.

(3) *Default closure period.* If written notification is not submitted per paragraph (e)(2) of this section for a vessel subject to the requirements under paragraph (e)(1) of this section, that vessel must adhere to the second closure period under paragraph (e)(1)(ii) of this section.

(4) *Request for exemption due to force majeure.* A request for exemption due to force majeure must be made to the Sustainable Fisheries Division within 20 calendar days after the vessel has been unable to proceed to sea for 72 days by fax at (562) 980–4047 or emailed to *RegionalAdministrator.WCRHMS@noaa.gov*. The request must include the name and official number of the vessel, vessel owner or manager’s name and signature, and evidence to support the request, which may include but is not limited to photographs, repair bills, certificates of departure from port, and in the case of a marine casualty, a completed copy of the U.S. Coast Guard Form CG–2692A (See 46 CFR 4.05–10).

* * * * *

(ii) If the request for an exemption due to force majeure is accepted by the IATTC, the vessel must observe a closure period of 40 consecutive days in the same year during which the force majeure event occurred, in one of the two closure periods described in paragraph (e)(1) of this section.

(iii) If the request for an exemption due to force majeure is accepted by the IATTC and the vessel has already observed a closure period described in paragraph (e)(1) of this section in the same year during which the force majeure event occurred, the vessel must observe a closure period of 40 consecutive days the following year the force majeure event occurred, in one of the two closure periods described in paragraph (e)(1) of this section.

(iv) Any purse seine vessel, for which a force majeure request is accepted by the IATTC, must carry an observer aboard authorized pursuant to the International Agreement on the International Dolphin Conservation Program.

(5) *31-day area closure.* A fishing vessel of the United States of class size 4–6 (more than 182 metric tons carrying capacity) may not be used from 0000 hours on October 9 to 2400 hours on November 8 in 2018, 2019, and 2020 to fish with purse seine gear within the area bounded at the east and west by 96° and 110° W longitude and bounded at the north and south by 4° N and 3° S latitude.

(6) *Requirement to stow gear.* At all times while a vessel is in a time/area closed period established under paragraphs (e)(1) or (5) of this section, unless fishing under the exception under paragraph (e)(4) of this section, the fishing gear of the vessel must be stowed in a manner as not to be readily available for fishing. In particular, the boom must be lowered as far as possible so that the vessel cannot be used for fishing, but so that the skiff is accessible for use in emergency situations; the helicopter, if any, must be tied down; and launches must be secured.

* * * * *

■ 6. Add § 300.28 to subpart C to read as follows:

§ 300.28 FAD restrictions.

(a) *FAD identification requirements for purse seine vessels.* (1) For each FAD deployed or modified on or after January 1, 2017, in the IATTC Convention Area, the vessel owner or operator must either: obtain a unique code from HMS Branch; or use an existing unique identifier associated with the FAD (e.g., the manufacturer identification code for the attached buoy).

(2) U.S. purse seine vessel owners and operators shall ensure the characters of the unique code or unique identifier be marked indelibly at least five centimeters in height on the upper portion of the attached radio or satellite buoy in a location that does not cover the solar cells used to power the equipment. For FADs without attached radio or satellite buoys, the characters shall be on the uppermost or emergent top portion of the FAD. The vessel owner or operator shall ensure the marking is visible at all times during daylight. In circumstances where the on-board observer is unable to view the code, the captain or crew shall assist the observer (e.g., by providing the FAD identification code to the observer).

(b) *Activating FADs for purse seine vessels.* A vessel owner, operator, or crew shall deploy an Active FAD only while at sea and the tracking equipment must be turned on while the FAD is onboard the vessel and before being deployed in the water.

(c) *Restrictions on Active FADs for purse seine vessels.* U.S. vessel owners and operators of purse-seine vessels with the following well volume (m³) must not have more than the following number of Active FADs per vessel in the IATTC Convention Area at any one time:

Well volume (m ³)	Active FAD limit
1,200 or more	450
426–1,199	300
213–425	120
0–212	70

(d) *Restrictions on FAD deployments and removals.* (1) U.S. vessel owners, operators, and crew of purse seine vessels of class size 4–6 (more than 182 metric tons carrying capacity) must not deploy a FAD during a period of 15 days prior to the start of the selected closure period described in § 300.25(e)(1).

(2) During the 15 days prior to the start of the closure period selected by the vessel per § 300.25(e)(1), U.S. vessel owners, operators, and crew of purse seine vessels of class size 6 (greater than 363 metric tons carrying capacity) must remove from the water a number of FADs equal to the number of FADs set upon by the vessel during that same 15 day period.

(e) *FAD design requirements to reduce entanglements.* No later than January 1, 2019, all FADs onboard or deployed by U.S. vessel owners, operators, or crew, must comply with the following design requirements:

(1) *Raft.* If the FAD design includes a covered raft (e.g., flat raft or rolls of material) and if mesh netting is used for

the cover, the mesh netting shall be tightly wrapped around the entire raft such that no loose netting hangs below the FAD when deployed.

(2) *Subsurface*. Any netting used in the subsurface structure of the FAD must be tightly tied into bundles (“sausages”).

[FR Doc. 2018-07387 Filed 4-10-18; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 150309236-8327-02]

RIN 0648-BE65

Fisheries of the Northeastern United States; Mid-Atlantic Fishery Management Council; Omnibus Acceptable Biological Catch Framework Adjustment

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

ACTION: Final rule.

SUMMARY: This action implements an Omnibus Framework Adjustment to the Mid-Atlantic Fishery Management Council’s acceptable biological catch setting process, allows for adoption of peer-reviewed scientific information more quickly, and clarifies language in the Council’s catch control rules. This action is necessary to provide an additional approach in catch setting that will help bring stability to quotas, ensure the best available scientific information is more readily available, and clarify existing control rule language. The intended effect of this action is to inform the public of these changes to the Council’s catch setting control rules and process.

DATES: This rule is effective May 11, 2018.

ADDRESSES: Copies of the Council’s Omnibus Acceptable Biological Catch Framework Adjustment and the accompanying environmental assessment (EA) are available on request from: Michael Pentony, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930.

FOR FURTHER INFORMATION CONTACT: Erin Wilkinson, Fishery Management Specialist, (301) 427-8561.

SUPPLEMENTARY INFORMATION:

Background

The Council is required to set annual catch limits (ACLs) that do not exceed the acceptable biological catch (ABC) recommendation of its Scientific and Statistical Committee (SSC) to prevent overfishing. ABCs represent an upper limit for the Council to use when setting catch limits. The 2011 ACL Omnibus Amendment final rule (76 FR 60606; September 29, 2011), put in place the Council’s risk policy that provides guidance to the SSC on the Council’s tolerance for overfishing risk. The policy also outlines risk tolerance for ensuring stocks under rebuilding plans achieve fishing mortality objectives.

The Council’s risk policy for setting ABCs states that for a typical species whose stock size is equal to or greater than a biomass target associated with maximum sustainable yield (B_{MSY}), the acceptable probability of overfishing is 40 percent, *i.e.*, if the fishery catches the ABC then there is a 60-percent probability of not overfishing. If the SSC determines that a species has an atypical life history, the Council requires at least a 65-percent chance of not overfishing to create a larger buffer when biomass is at or above B_{MSY} . The SSC determines whether a stock is typical or atypical each time an ABC is recommended.

For both typical and atypical species, the Council has specified that as stock size biomass (B) falls below the target B_{MSY} , the probability of overfishing decreases, until the probability of overfishing hits zero when the stock is at 10 percent of the target B_{MSY} . For a stock under a rebuilding plan, the probability of not exceeding the fishing mortality rate (F) within the specified timeframe must be at least 50 percent, unless this probability threshold is modified through a stock rebuilding plan.

The fishery management plans (FMPs) managed by the Council all have provisions for setting specifications for multiple years (five years for dogfish and three years for all other species).

Approved Measures

Overfishing Probability Averaging

When the SSC accepts assessment fishing mortality reference points, the average probability of overfishing (or achieving the target fishing mortality for rebuilding stocks) may be used consistent with the existing risk policy requirements. The constant, multi-year ABCs that would result must continue to meet the Council’s risk policy goals, with the probability of overfishing not to exceed 50 percent in any given year. For stocks in a rebuilding plan, the

probability of achieving the rebuilding fishery mortality must meet the risk policy objectives when constant, multi-year ABCs are recommended by the SSC.

Averaged ABCs could be set at a constant level for up to five years for spiny dogfish and up to three years for all other species managed by the Council. The SSC may provide both variable, year-to-year and constant multi-year recommendations based on the average overfishing probability approach for the Council to consider. The SSC will continue to review fishery performance each year during multi-year specifications, regardless of which multi-year approach is used to determine ABCs. The multi-year averaging of ABCs will not apply to stocks that do not have a quantitative assessment to derive ABCs, or to stocks with an assessment that lacks information on the risk of overfishing.

ABC Control Rule Assessment Level Designations

In conjunction with this action, the Council developed and we approved some clarifying language describing its ABC control rule assessment level designations. These revisions are minor and intended to clarify the various components of the assessment levels used in the ABC control rules.

Approved Biological Status Criteria

This action provides notice of the administrative process the Council will use for incorporating the best scientific information available in the development of ABCs for the Atlantic Bluefish, Tilefish, and Atlantic Mackerel, Squid, and Butterfish FMPs. All other Mid-Atlantic FMPs already use this process. The best available science requirements dictate that the SSC use the accepted assessment information to set quotas under National Standard 2. The Council’s SSC will utilize peer-reviewed biological reference points (overfishing level, biomass thresholds, etc.) and periodic updates to stock status determination criteria (*i.e.*, biomass and fishing mortality reference points) to define ABCs, consistent with the Council’s other FMPs and National Standards 1 and 2 of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). This change in Council operations improves management efficiency by automatically incorporating new peer-reviewed status determination criteria instead of requiring a separate management action to adopt them within these three FMPs.

Comments and Responses

We received one comment on the proposed rule from the public. The commenter suggested clarifying language in the preamble of the proposed rule notice, describing the measures. We clarified the description of the measures in the preamble of this final rule.

Changes From the Proposed Rule

There are no changes from the proposed to final rule.

Classification

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

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

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

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: April 5, 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 648 is amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

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

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

■ 2. Section 648.20 is revised to read as follows:

§ 648.20 Mid-Atlantic Fishery Management Council Acceptable Biological Catch (ABC) control rules.

The SSC shall review the following criteria, and any additional relevant information, to assign managed stocks to one of four types of control rules based on the species' assessments and its treatment of uncertainty when developing ABC recommendations. The SSC shall review the ABC control rule assignment for stocks each time an ABC is recommended. ABCs may be recommended for up to three years for all stocks, with the exception of five years for spiny dogfish. The SSC may specify constant, multi-year ABCs, derived from the average of ABCs (or average risk of overfishing) if the average probability of overfishing remains between zero and 40 percent, and does not exceed a 50-percent probability in any given year. The average ABCs may remain constant for up to three years for all stocks, with the exception of five years for spiny dogfish. The SSC may deviate from the control rule methods and recommend an ABC that differs from the result of the ABC control rule application; however, any such deviation must include the following: A description of why the deviation is warranted; description of the methods used to derive the alternative ABC; and an explanation of how the deviation is consistent with National Standard 2. The four types of ABC control rules are described below.

(a) *ABC control rule for a stock with an OFL probability distribution that is analytically-derived and accepted by the SSC.* (1) The SSC determines that the assessment OFL and the assessment's treatment of uncertainty are acceptable, based on the following:

(i) All important sources of scientific uncertainty are captured in the stock assessment model;

(ii) The probability distribution of the OFL is calculated within the stock assessment and adequately describes the OFL uncertainty;

(iii) The stock assessment model structure and treatment of the data prior to use in the model include relevant details of the biology of the stock, fisheries that exploit the stock, and data collection methods;

(iv) The stock assessment provides the following estimates: Fishing mortality rate (F) at MSY or an acceptable proxy maximum fishing mortality threshold (MFMT) to define OFL, biomass, biological reference points, stock status, OFL, and the respective uncertainties associated with each value; and

(v) No substantial retrospective patterns exist in the stock assessment

estimates of fishing mortality, biomass, and recruitment.

(2) An ABC for stocks with an accepted OFL probability distribution that is analytically-derived will be determined by applying the acceptable probability of overfishing from the MAFMC's risk policy found in § 648.21(a) through (d) to the probability distribution of the OFL.

(b) *ABC control rule for a stock with an OFL probability distribution that is modified by the assessment team and accepted by the SSC.* (1) The SSC determines the assessment OFL is acceptable and the SSC accepts the assessment team's modifications to the analytically-derived OFL probability distribution, based on the following:

(i) Key features of the stock biology, the fisheries that exploit it, and/or the data collection methods for stock information are missing from, or poorly estimated in, the stock assessment;

(ii) The stock assessment provides reference points (which may be proxies), stock status, and uncertainties associated with each; however, the uncertainty is not fully promulgated through the stock assessment model and/or some important sources of uncertainty may be lacking;

(iii) The stock assessment provides estimates of the precision of biomass, fishing mortality, and reference points;

(iv) The accuracy of the minimum fishing mortality threshold and projected future biomass is estimated in the stock assessment using ad hoc methods; and

(v) The modified OFL probability distribution provided by the assessment team acceptably addresses the uncertainty of the assessment.

(2) An ABC for stocks with an OFL probability distribution that is modified by the assessment team and accepted by the SSC will be determined by applying the acceptable probability of overfishing from the MAFMC's risk policy found in § 648.21(a) through (d) to the probability distribution of the OFL as modified by the assessment team.

(c) *ABC control rule for a stock with an OFL probability distribution that is modified by the SSC.* (1) The SSC determines the assessment OFL is acceptable but the SSC derives the appropriate uncertainty for OFL based on meta-analysis and other considerations. This requires the SSC to determine that the stock assessment does not contain an estimated probability distribution of OFL or the OFL probability distribution in the stock assessment is judged by the SSC to not adequately reflect uncertainty in the OFL estimate.

(2) An ABC for stocks with an OFL probability distribution that is modified by the SSC will be determined by either:

(i) Applying the acceptable probability of overfishing from the MAFMC's risk policy found in § 648.21(a) through (d) to the SSC-adjusted OFL probability distribution. The SSC will use default assignments of uncertainty in the adjusted OFL

probability distribution based on literature review and valuation of control rule performance; or,

(ii) If the SSC cannot develop an OFL probability distribution, a default control rule of 75 percent of the F_{MSY} value will be applied to derive ABC.

(d) *ABC control rule for when an OFL cannot be specified.* (1) The SSC determines that the OFL cannot be

specified given the available information.

(2) An ABC for stocks with an OFL that cannot be specified will be determined by using control rules based on biomass and catch history and application of the MAFMC's risk policy found in § 648.21(a) through (d).

[FR Doc. 2018-07373 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

Proposed Rules

Federal Register

Vol. 83, No. 70

Wednesday, April 11, 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 ENERGY

10 CFR Part 431

Appliance Standards and Rulemaking Federal Advisory Committee: Notification of Intent To Establish a Working Group for Variable Refrigerant Flow Multi-Split Air Conditioners and Heat Pumps To Negotiate a Notice of Proposed Rulemaking for Test Procedures and Energy Conservation Standards

AGENCY: Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy.

ACTION: Notification of intent and solicitation of nominations for membership.

SUMMARY: The U.S. Department of Energy (DOE or the Department) is giving notice that DOE intends to establish a negotiated rulemaking working group under the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC) in accordance with the Federal Advisory Committee Act (FACA) and the Negotiated Rulemaking Act (NRA) to negotiate proposed test procedures and amended energy conservation standards for variable refrigerant flow multi-split air conditioners and heat pumps (VRF multi-split systems). The purpose of the working group will be to discuss and, if possible, reach consensus on a proposed rule regarding test procedures and energy conservation standards for VRF multi-split systems, as authorized by the Energy Policy and Conservation Act (EPCA) of 1975, as amended. The working group will consist of representatives of parties having a defined stake in the outcome of the proposed standards and/or test procedure, and will consult as appropriate with a range of experts on technical issues. DOE is hereby soliciting nominations for members of the VRF multi-split systems working group. Application packages should be submitted to DOE by April 26, 2018.

DATES: Nominations of membership must be received on or before April 26, 2018. DOE will not consider any nominations received via mail or after midnight on April 26, 2018.

ADDRESSES: The nominee's name, resume, biography, and any letters of support must be submitted in electronic format via email to asrac@ee.doe.gov. Any requests for further information should also be sent via email to asrac@ee.doe.gov.

FOR FURTHER INFORMATION CONTACT: John Cymbalsky, U.S. Department of Energy, Office of Building Technologies (EE-5B), 950 L'Enfant Plaza, SW, Washington, DC 20024. Phone: 202-287-1692. Email: ASRAC@ee.doe.gov.

SUPPLEMENTARY INFORMATION:

Preamble

- I. Authority
- II. Background
- III. Proposed Negotiating Procedures
- IV. Comments Requested
- V. Public Participation

I. Authority

DOE is announcing its intent to negotiate proposed test procedures and amended energy conservation standards for VRF multi-split systems under the authority of sections 563 and 564 of the NRA (5 U.S.C. 561-570, Pub. L. 104-320). The regulation of VRF multi-split systems standards that DOE is proposing to develop under a negotiated rulemaking will be developed under the authority of EPCA, as amended, 42 U.S.C. 6311(1) and 42 U.S.C. 6291 *et seq.*

II. Background

On January 10, 2018, the ASRAC met and made a recommendation to form a VRF multi-split systems subcommittee to meet, discuss, and, if possible, reach consensus on a proposed rule for the test procedures and energy efficiency standards for VRFs. For purposes of this document, the ASRAC subcommittee at issue will be referred to as the "working group." As required by the NRA, DOE is giving notice that it is establishing a working group under ASRAC to discuss proposed amended test procedures and energy efficiency requirements for VRF multi-split systems. The working group will be established and function as a subcommittee of ASRAC in accordance with the provisions of the Federal

Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2.

A. Negotiated Rulemaking

DOE is supporting the use of the negotiated rulemaking process to discuss and develop proposed test procedures and amended energy conservation standards for VRF multi-split systems. The primary reason for using the negotiated rulemaking process for this equipment is that stakeholders strongly support a consensual rulemaking effort. DOE believes such a regulatory negotiation process will be less adversarial and better suited to resolving complex technical issues. An important virtue of negotiated rulemaking is that it allows expert dialog that is much better than traditional techniques at getting the facts and issues right and will result in a proposed rule that will effectively reflect Congressional intent.

A regulatory negotiation will enable DOE to engage in direct and sustained dialog with informed, interested, and affected parties when drafting the regulation, rather than obtaining input during a public comment period after developing and publishing a proposed rule. A rule drafted by negotiation with informed and affected parties is expected to be potentially more pragmatic and more easily implemented than a rule arising from the traditional process. Such rulemaking improvement is likely to provide the public with the full benefits of the rule while minimizing the potential negative impact of a proposed regulation conceived or drafted without the full prior input of outside knowledgeable parties. Because a negotiating working group includes representatives from the major stakeholder groups, including consumers, affected by or interested in the rule, the number of public comments on the proposed rule may be decreased. DOE anticipates that there will be a need for fewer substantive changes to a proposed rule developed under a regulatory negotiation process prior to the publication of a final rule.

B. The Concept of Negotiated Rulemaking

Usually, DOE develops a proposed rulemaking using Department staff and consultant resources. Congress noted in the NRA, however, that regulatory development may "discourage the affected parties from meeting and

communicating with each other, and may cause parties with different interests to assume conflicting and antagonistic positions.” (5 U.S.C. 561(2)(2)) Congress also stated that “adversarial rulemaking deprives the affected parties and the public of the benefits of face-to-face negotiations and cooperation in developing and reaching agreement on a rule. It also deprives them of the benefits of shared information, knowledge, expertise, and technical abilities possessed by the affected parties.” (5 U.S.C. 561(2)(3))

Using negotiated rulemaking to develop a proposed rule differs fundamentally from the Department centered process. In negotiated rulemaking, a proposed rule is developed by an advisory committee or a working group established by the advisory committee, composed of members chosen to represent the various interests that will be significantly affected by the rule. The goal of the advisory committee or its working group is to reach consensus on the treatment of the major issues involved with the rule. The process starts with the Department’s careful identification of all interests potentially affected by the rulemaking under consideration. To help with this identification, the Department publishes a notification of intent such as this one in the **Federal Register**, identifying a preliminary list of interested parties and requesting public comment on that list. Following receipt of comments, the Department establishes an advisory committee or advisory committee working group representing the full range of stakeholders to negotiate a consensus on the terms of a proposed rule. Representation on the advisory committee or its working group may be direct; that is, each member may represent a specific interest, or may be indirect, such as through trade associations and/or similarly-situated parties with common interests. The Department especially seeks membership from consumers or consumer groups that will be impacted by any potential negotiated energy conservation standard. The Department is a member of the advisory committee or working group and represents the Federal government’s interests. The advisory committee or working group chair is assisted by a neutral mediator who facilitates the negotiation process. The role of the mediator, also called a facilitator, is to apply proven consensus-building techniques to the advisory committee or working group process.

If the advisory committee itself is undertaking the negotiation, once the committee reaches consensus on the

provisions of a proposed rule and recommends such consensus to the Department, the Department, consistent with its legal obligations, may use such consensus as the basis of its proposed rule, which then is published in the **Federal Register**. If a working group of the advisory committee is undertaking the negotiation, once the working group reaches consensus on the provisions of a proposed rule, a recommendation is made to the advisory committee. The advisory committee may then, consistent with its legal obligations, use such consensus as the basis for making a recommendation to the Department of a proposed rule. The Department, consistent with its legal obligations, may use such consensus as the basis of its proposed rule, which then is published in the **Federal Register**. This publication provides the required public notice and provides for a public comment period. Other participants and other interested parties retain their rights to comment, participate in an informal hearing (if requested), and request judicial review. DOE anticipates, however, that the pre-proposal consensus recommended by the advisory committee will narrow any issues in the subsequent rulemaking.

C. Proposed Rulemaking for Test Procedures and Energy Conservation Standards Regarding VRF Multi-Split Systems

The NRA enables DOE to establish an advisory committee or a working group under the advisory committee if it is determined that the use of the negotiated rulemaking process is in the public interest. DOE intends to develop Federal regulations that build on the depth of experience accrued in both the public and private sectors in implementing standards and programs.

DOE has determined that the regulatory negotiation process will provide for obtaining a diverse array of in-depth input, as well as an opportunity for increased collaborative discussion from both private-sector stakeholders and government officials who are familiar with energy efficiency of VRF multi-split systems.

D. Department Commitment

In initiating this regulatory negotiation process to develop test procedures and amended energy conservation standards for VRF multi-split systems, DOE is making a commitment to provide adequate resources to facilitate timely and successful completion of the process. This commitment includes making the process a priority activity for all representatives, components, officials,

and personnel of the Department who need to be involved in the rulemaking, from the time of initiation until such time as a final rule is issued or the process is expressly terminated. DOE will provide administrative support for the process and will take steps to ensure that the advisory committee or its working group has the dedicated resources it requires to complete its work in a timely fashion. Specifically, DOE will make available the following support services: Properly equipped space adequate for public meetings and caucuses; logistical support; word processing and distribution of background information; the service of a facilitator; and such additional research and other technical assistance as may be necessary. All meetings will provide an opportunity for all members of the working group and other interested parties to participate by webinar. While DOE strongly encourages members to participate in person, DOE realizes that travel costs may prohibit in-person attendance. Prospective members, therefore, should not allow travel costs to affect their decision to apply for membership.

To the maximum extent possible consistent with the legal obligations of the Department, DOE will use the consensus of the advisory committee as the basis for the rule the Department proposes for public notice and comment.

E. Negotiating Consensus

As discussed, the negotiated rulemaking process differs fundamentally from the usual process for developing a proposed rule. Negotiation enables interested and affected parties to discuss various approaches to issues rather than asking them only to respond to a proposal developed by the Department. The negotiation process involves a mutual education of the various parties on the practical concerns about the impact of standards. Each advisory committee or working group member participates in resolving the interests and concerns of other members, rather than leaving it up to DOE to evaluate and incorporate different points of view.

A key principle of negotiated rulemaking is that agreement is by consensus of all the interests. Thus, no one interest or group of interests is able to control the process. The NRA defines consensus as the unanimous concurrence among interests represented on a negotiated rulemaking committee or working group, unless the advisory committee or its working group itself unanimously agrees to use a different definition. 5 U.S.C. 562. In

addition, experience has demonstrated that using a trained mediator to facilitate this process will assist all parties, including DOE, in identifying their real interests in the rule, and thus will enable parties to focus on and resolve the important issues.

III. Proposed Negotiating Procedures

A. Key Issues for Negotiation

The following issues and concerns will underlie the work of the Negotiated Rulemaking Committee on Variable Refrigerant Flow Multi-Split Systems Energy Conservation Standards:

- Test procedures for VRF multi-split systems; and
- Energy Conservation Standards for VRF multi-split systems.

To examine the underlying issues outlined above, and others not yet articulated, all parties in the negotiation will need DOE to provide data and an analytic framework complete and accurate enough to support their deliberations. DOE's analyses must be adequate to inform a prospective negotiation. Prior to the commencement of the working group, DOE expects to publish a notice of data availability (NODA) which discusses the results of DOE's analysis of the energy savings potential of amended energy conservation standards for VRF multi-split systems. DOE also expects to publish a technical support document and analytical tools along with the NODA. Working Groups members should review the associated materials before each meeting.

B. Formation of Working Group

A working group will be formed and operated in full compliance with the requirements of FACA and in a manner consistent with the requirements of the NRA. DOE has determined that the working group shall not exceed 25 members. The Department believes that more than 25 members would make it difficult to conduct effective negotiations. DOE is aware that there may be many more potential participants than there are membership slots on the working group. The Department does not believe, nor does the NRA contemplate, that each potentially affected group must participate directly in the negotiations; nevertheless, each affected interest can be adequately represented. To have a successful negotiation, it is important for interested parties to identify and form coalitions that adequately represent significantly affected interests. To provide adequate representation, those coalitions must agree to support, both financially and technically, a

member of the working group whom they choose to represent their interests. DOE is especially interested in representation by consumers of VRF multi-split systems since any potential energy conservation standard may impact this stakeholder group. Consumers of VRFs may include, but are not limited to, commercial building owners, commercial heating, ventilation, and air-conditioning architects, or commercial building tenants that pay utility bills.

DOE recognizes that when it establishes energy efficiency standards and test procedures for residential products and commercial equipment, various segments of society may be affected in different ways, in some cases producing unique "interests" in a proposed rule based on income, gender, or other factors. The Department will pay attention to providing that any unique interests that have been identified, and that may be significantly affected by the proposed rule, are represented. Per the ASRAC charter, the Assistant Secretary for Energy Efficiency and Renewable Energy or his designee, in consultation with the ASRAC Chair, appoints ASRAC subcommittee (working group) chairs.

FACA also requires that members of the public have the opportunity to attend meetings of the full committee and speak or otherwise address the committee during the public comment period. In addition, any member of the public is permitted to file a written statement with the advisory committee. DOE plans to adhere to these requirements in the conduct of the working group.

C. Interests Involved/Working Group Membership

DOE anticipates that the working group will comprise no more than 25 members who represent affected and interested stakeholder groups, at least one of whom must be a member of the ASRAC. As required by FACA, the Department will select members for the working group with particular attention to ensuring full and balanced representation of those interests that may be significantly affected by the proposed rule amending standards for VRF multi-split systems. Section 562 of the NRA defines the term "interest" as "with respect to an issue or matter, multiple parties which have a similar point of view or which are likely to be affected in a similar manner." Listed below are parties the Department to date has identified as being "significantly affected" by a proposed rule regarding the energy efficiency of VRF multi-split systems.

- The Department of Energy
- States
- Manufacturers of VRF multi-split systems
- Trade Associations representing manufacturers, installers, and distributors of VRF multi-split systems
- Heating and Cooling System Designers and Engineers
- Component manufacturers and related suppliers
- Utilities
- Energy efficiency/environmental advocacy groups
- Commercial Building Owners
- Commercial Building Tenants

One purpose of this notification of intent is to determine whether Federal regulations for VRF multi-split systems will significantly affect interests that are not listed above. DOE invites comment and suggestions on its initial list of significantly affected interests and encourages all interested parties and interests to apply for the working group.

Members may be individuals or organizations. If the effort is to be fruitful, participants on the working group should be able to fully and adequately represent the viewpoints of their respective interests. This document gives notice of DOE's process to other potential participants and affords them the opportunity to request representation in the negotiations. Those who wish to nominate members to the working group, should submit an application package to DOE, in accordance with the public participation procedures outlined in the **DATES** and **ADDRESSES** sections of this notification of intent. Qualified individuals can self-nominate or be nominated by any individual or organization. Nominators should submit an application package which includes:

- The nominee's current resume or curriculum vitae and contact information, including mailing address, email address, and telephone number;
- A letter of interest, which includes:
 - A summary of how the nominee's experience and expertise would support the working group's objectives;
 - The interest the nominee would represent in the working group; and
 - A description of other assets (such as data or modeling tools) the nominee could provide to support the working group's objectives.

Membership of the working group is likely to involve:

- Attendance (in person preferable) at approximately ten (10), one (1)- to two (2)-day meetings (with the potential for two (2) additional one (1)- or two (2)-day meetings);

- Travel costs to those meetings, if participating in person; and
- Preparation time for those meetings.

Members serving on the working group will not receive compensation for their services. Interested parties who are not selected for membership on the working group may make valuable contributions to this negotiated rulemaking effort in any of the following ways:

- The person may request to be placed on the working group mailing list and submit written comments as appropriate.
- The person may attend working group meetings, which are open to the public; caucus with his or her interest's member on the working group; or even address the working group during the public comment portion of the working group meeting.
- The person could assist the efforts of a workgroup that the working group might establish.

A working group may establish informal workgroups, which usually are asked to facilitate committee deliberations by assisting with various technical matters (*e.g.*, researching or preparing summaries of the technical literature or comments on specific matters such as economic issues). Workgroups also might assist in estimating costs or drafting regulatory text on issues associated with the analysis of the costs and benefits addressed, or formulating drafts of the various provisions and their justifications as previously developed by the working group. Given their support function, workgroups usually consist of participants who have expertise or particular interest in the technical matter(s) being studied. Because it recognizes the importance of this support work for the working group, DOE will provide appropriate technical expertise for such workgroups. Such workgroups will provide their work product and/or recommendations only to the working group.

D. Good Faith Negotiation

Every working group member must be willing to negotiate in good faith and have the authority, granted by his or her constituency, to do so. The first step is to ensure that each member has good communications with his or her constituencies. An intra-interest network of communication should be established to bring information from the support organization to the member at the table, and to take information from the table back to the support organization. Second, each organization or coalition therefore should designate as its representative a person having the

credibility and authority to ensure that needed information is provided and decisions are made in a timely fashion. Negotiated rulemaking can require the appointed members to give a significant sustained time commitment for as long as the duration of the negotiated rulemaking. Other qualities of members that can be helpful are negotiating experience and skills, familiarity with using VRF multi-split systems as a consumer, and/or sufficient technical knowledge to participate in substantive negotiations.

Certain concepts are central to negotiating in good faith. One is the willingness to bring all issues to the bargaining table in an attempt to reach a consensus, as opposed to keeping key issues in reserve. The second is a willingness to keep the issues at the table and not take them to other forums. Finally, good faith includes a willingness to move away from some of the positions often taken in a more traditional rulemaking process, and instead explore openly with other parties all ideas that may emerge from the working group's discussions.

E. Facilitator

The facilitator will act as a neutral in the substantive development of the proposed standard. Rather, the facilitator's role generally includes:

- Impartially assisting the members of the working group in conducting discussions and negotiations; and
- Impartially assisting in performing the duties of the Designated Federal Official under FACA.

F. Department Representative

The DOE representative will be a full and active participant in the consensus building negotiations. The Department's representative will meet regularly with senior Department officials, briefing them on the negotiations and receiving their suggestions and advice so that he or she can effectively represent the Department's views regarding the issues before the working group. DOE's representative also will ensure that the entire spectrum of governmental interests affected by the standards rulemaking, including the Office of Management and Budget, the Attorney General, and other Departmental offices, are kept informed of the negotiations and encouraged to make their concerns known in a timely fashion.

G. Working Group and Schedule

After evaluating the comments submitted in response to this notification of intent and the requests for nominations, DOE will either inform the members of the working group that

they have been selected or determine that conducting a negotiated rulemaking is inappropriate.

The working group is expected to make a concerted effort to negotiate its first term sheet on test procedures and its second term sheet on energy conservation standards within six (6) months of its first meeting. The working group's negotiations will take place around two discrete tasks. The test procedure term sheet, if completed, is to be approved by the working group and transmitted to ASRAC prior to commencement of negotiations regarding the energy conservation standards. At the completion of the negotiations for each discrete tasks, the term sheet, if completed, will be presented to ASRAC at an open meeting for their deliberation and decision on whether or not to approve it and submit it to DOE as a formal recommendation.

DOE will advise working group members of administrative matters related to the functions of the working group before beginning. While the negotiated rulemaking process is underway, DOE is committed to performing much of the same analysis as it would during a normal standards rulemaking process and to providing information and technical support to the working group.

IV. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this notification of intent.

Issued in Washington, DC, on April 5, 2018.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency and Renewable Energy.

[FR Doc. 2018-07487 Filed 4-10-18; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2018-0286; Product Identifier 2018-CE-008-AD]

RIN 2120-AA64

Airworthiness Directives; Pacific Aerospace Limited Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain

Pacific Aerospace Limited Model 750XL airplanes. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as airplane sound insulation materials attached to the aft face of the firewall not complying with the applicable burn testing criteria for materials on the cabin side of the firewall. We are issuing this proposed AD to require actions to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by May 29, 2018.

ADDRESSES: You may send comments 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 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Pacific Aerospace Limited, Airport Road, Hamilton, Private Bag 3027, Hamilton 3240, New Zealand; phone: +64 7843 6144; fax: +64 843 6134; email: pacific@aerospace.co.nz; internet: www.aerospace.co.nz. You may review this referenced service information at the FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

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-2018-0286; 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 regulatory evaluation, any comments received, and other information. The street address for Docket Operations (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Mike Kiesov, Aerospace Engineer, FAA,

Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4144; fax: (816) 329-4090; email: mike.kiesov@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include “Docket No. FAA-2018-0286; Product Identifier 2018-CE-008-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD 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 we receive about this proposed AD.

Discussion

The Civil Aviation Authority of New Zealand (CAA), has issued DCA/750XL/27A, dated March 1, 2018 (referred to after this as “the MCAI”), to correct an unsafe condition for Pacific Aerospace Limited Model 750XL airplanes. The MCAI states:

The sound insulation material on the aft face of the firewall must comply with the applicable burn test criteria specified in FAR 23.853(f).

Inspect the aft face of the firewall and determine if sound insulation material is installed per the instructions in Pacific Aerospace Mandatory Service Bulletin (MSB) PACSB/XL/095 issue 1, dated 21 December 2017, or later approved revision.

If a layer of black foam insulating material is found covering the firewall, then remove the material per the instructions in MSB PACSB/XL/095 before further flight.

You may examine the MCAI on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0286.

Related Service Information Under 1 CFR Part 51

Pacific Aerospace Limited has issued Pacific Aerospace Service Bulletin PACSB/XL/095, Issue 1, dated December 21, 2017. The service information describes procedures for inspection of the airplane sound insulation attached to the aft face of the firewall and removal if necessary. 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 the Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have 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 and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Costs of Compliance

We estimate that this proposed AD will affect 22 products of U.S. registry. We also estimate that it would take about 1 work-hour per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour.

Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$1,870, or \$85 per product.

In addition, we estimate that any necessary follow-on actions would take about 8 work-hours, for a cost of \$680 per product. We have no way of determining the number of products that may need these actions.

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 small airplanes, gliders, balloons, airships, domestic business jet transport airplanes, and associated appliances to the Director of the 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 AD:

Pacific Aerospace Limited: Docket No. FAA–2018–0286; Product Identifier 2018–CE–008–AD.

(a) Comments Due Date

We must receive comments by May 29, 2018.

(b) Affected ADs

None.

(c) Applicability

This AD applies to Pacific Aerospace Limited Model 750XL airplanes, all serial numbers up to and including 215, certificated in any category.

(d) Subject

Air Transport Association of America (ATA) Code 54: Nacelles/Pylons.

(e) Reason

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and address an unsafe condition on an aviation product. The MCAI describes the unsafe condition as airplane sound insulation materials attached to the aft face of the firewall not complying with the applicable burn testing criteria for materials on the cabin side of the firewall. We are issuing this AD to prevent the spread of fire into the cabin in case of an engine fire.

(f) Actions and Compliance

Unless already done, do the following actions in paragraphs (f)(1) and (2) of this AD:

- (1) Within the next 90 days after the effective date of this AD, inspect the aft face of the firewall and determine if the sound insulation material is installed per the Inspection Instructions in Pacific Aerospace Service Bulletin PACSB/XL/095, Issue 1, dated December 21, 2017.
- (2) If a layer of black foam insulating material is found covering the firewall during the inspection required in paragraph (f)(1) of this AD, before further flight, remove the material per the Accomplishment Instructions in Pacific Aerospace Service Bulletin PACSB/XL/095, Issue 1, dated December 21, 2017.

(g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Small Airplane Standards Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Mike Kiesov, Aerospace Engineer, FAA, Small Airplane Standards Branch, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329–4144; fax: (816) 329–4090; email: mike.kiesov@faa.gov. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain corrective actions from a manufacturer, the action must be accomplished using a method approved by the Manager, Small Airplane Standards Branch, FAA; or the Civil Aviation Authority of New Zealand (CAA).

(h) Related Information

Refer to MCAI CAA AD DCA/750XL/27A, dated March 1, 2018; and Pacific Aerospace Service Bulletin PACSB/XL/095, Issue 1, dated December 21, 2017, for related

information. You may examine the MCAI on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2018–0286. For service information related to this AD, contact Pacific Aerospace Limited, Airport Road, Hamilton, Private Bag 3027, Hamilton 3240, New Zealand; phone: +64 7843 6144; fax: +64 843 6134; email: pacific@aerospace.co.nz; internet: www.aerospace.co.nz. You may review this referenced service information at the FAA, Policy and Innovation Division, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329–4148.

Issued in Kansas City, Missouri, on April 4, 2018.

Melvin J. Johnson,

Deputy Director, Policy & Innovation Division, Aircraft Certification Service.

[FR Doc. 2018–07433 Filed 4–10–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2017–1206; Product Identifier 2017–NE–42–AD]

RIN 2120–AA64

Airworthiness Directives; Pratt & Whitney

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all Pratt & Whitney (PW) PW2037, PW2037M, and PW2040 turbofan engines. This proposed AD was prompted by an uncommanded high thrust event that occurred during approach on January 16, 2016, and during landing on April 6, 2016. This proposed AD would require removal of the metering valve pilot valve (MVPV) within certain fuel control units (FCUs) and the MVPV's replacement with a part eligible for installation. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by May 29, 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:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact Pratt & Whitney Division, 400 Main St., East Hartford, CT 06118; phone: 800-565-0140; fax: 860-565-5442. 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-2017-1206; 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 NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (phone: 800-647-5527) is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Kevin M. Clark, Aerospace Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7088; fax: 781-238-7199; email: Kevin.M.Clark@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-2017-1206; Product Identifier 2017-NE-42-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 we receive about this NPRM.

Discussion

We received reports of an uncommanded high thrust event that occurred during approach on January 16, 2016, and during landing on April 6, 2016, due to loosening of the MVPV end cap. These uncommanded events were associated with improper maintenance on the MVPV within certain FCUs. This proposed AD would require removal of the MVPV for certain FCUs. This condition, if not addressed, could result in failure of the FCU, loss of engine thrust control, and reduced control of the airplane.

Related Service Information Under 1 CFR Part 51

We reviewed PW Alert Service Bulletin (ASB) PW2000 A73-172, dated

October 16, 2017. The ASB describes procedures for replacement of the MVPV for certain FCUs. 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 AD 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.

Proposed AD Requirements

This proposed AD would require replacement of the MVPV for certain FCU serial numbers, except as discussed under “Differences Between this Proposed AD and the Service Information.”

Differences Between This Proposed AD and the Service Information

PW ASB PW2000 A73-172, dated October 16, 2017, specifies installation of a new UTC Aerospace Systems MVPV in certain FCUs. This AD sets forth an option to repair a MVPV to be installed in certain FCUs according to the criteria listed in paragraph h(2)(ii) of this AD.

Costs of Compliance

We estimate that this proposed AD affects 212 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 MVPV	\$0	\$12,000	\$12,000	\$2,544,000

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):

Pratt & Whitney: Docket No. FAA-2017-1206; Product Identifier 2017-NE-42-AD.

(a) Comments Due Date

We must receive comments by May 29, 2018.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Pratt & Whitney (PW) PW2037, PW2037M, and PW2040 turbofan engines with JFC104-1 fuel control units (FCUs) with serial numbers listed in the Accomplishment Instructions, Table 1, of PW Alert Service Bulletin PW2000 A73-172, dated October 16, 2017.

(d) Subject

Joint Aircraft System Component (JASC) Code 7321, Fuel Control/Turbine Engines.

(e) Unsafe Condition

This AD was prompted by an uncommanded high thrust event that occurred during approach on January 16, 2016, and during landing on April 6, 2016. We are issuing this AD to prevent failure of the end cap to remain taut, causing uncommanded higher fuel flow to the engine. The unsafe condition, if not addressed, could result in failure of the FCU, loss of engine

thrust control and reduced control of the airplane.

(f) Compliance

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

(g) Required Actions

Remove from service the metering valve pilot valve (MVPV) from the FCU at the next FCU overhaul after the effective date of the AD and replace the MVPV with a part eligible for installation.

(h) Definitions

(1) For the purpose of this AD, an FCU overhaul is defined as the removal of the FCU from the engine and induction of the FCU into a FCU shop that can perform these procedures regardless of the scheduled maintenance action or the reason for the FCU removal.

(2) For the purpose of this AD, a part eligible for installation is one of the following:

(i) A zero time MVPV, or

(ii) An MVPV repaired by a method approved by the FAA that includes an end plug with tamper proof features.

(i) Installation Prohibition

After the effective date of this AD, do not install any MVPV removed in accordance with paragraph (g) unless it has been repaired per paragraph (h)(2)(ii) of this AD.

(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 certification office, send it to the attention of the person identified in paragraph (k)(1) of this AD. Information may be emailed 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 Kevin M. Clark, Aerospace Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: 781-238-7088; fax: 781-238-7199; email: Kevin.M.Clark@faa.gov.

(2) For service information identified in this AD, contact Pratt & Whitney Division, 400 Main St., East Hartford, CT 06118; phone: 800-565-0140; fax: 860-565-5442. You may view this referenced 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.

Issued in Burlington, Massachusetts, on April 5, 2018.

Robert J. Ganley,

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

[FR Doc. 2018-07413 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2017-1013; Airspace Docket No. 17-AWP-12]

Proposed Establishment of the Hawaiian Islands High and the Hawaiian Islands Low Offshore Airspace Areas; Hawaii.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish the Hawaiian High and Hawaiian Low Offshore airspace area. The proposed action would establish Class A airspace extending upward from 18,000 feet mean sea level (MSL) to and including flight level (FL) 600; and Class E airspace, extending upward from 1,200 feet MSL to and including 17,999 feet MSL around the Hawaiian Islands. The FAA is proposing this action to provide additional airspace within which domestic air traffic control (ATC) procedures would be used. Establishment of the Class A and Class E airspaces would enhance the management of air traffic operations and result in more efficient use of that airspace.

DATES: Comments must be received on or before May 29, 2018.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building Ground Floor, Room W12-140, Washington, DC 20590-0001; telephone: 1 (800) 647-5527, or (202) 366-9826. You must identify FAA Docket Number FAA-2017-1013 and Airspace Docket Number 17-AWP-12 at the beginning of your comments. You may also submit comments through the internet at <http://www.regulations.gov>.

FAA Order 7400.11B, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/. For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence

Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11B at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Kenneth Ready, Airspace Policy Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would support offshore airspace areas around the Hawaiian Islands, and apply domestic air traffic control procedures.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket Number FAA-2017-1013 and Airspace Docket Number 17-AWP-12) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments

on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket Number FAA-2017-1013 and Airspace Docket Number 17-AWP-12." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

An electronic copy of this document may be downloaded through the internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at http://www.faa.gov/air_traffic/publications/airspace_amendments/.

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see "**ADDRESSES**" section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Western Service Center, Operations Support Group, Federal Aviation Administration, 1601 Lind Ave. SW, Renton, WA 98057.

Availability and Summary of Documents for Incorporation by Reference

This document proposes to amend FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017, and effective September 15, 2017. FAA Order 7400.11B is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11B lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

Background

The existing airspace configuration is not consistent with the domestic airspace established throughout the rest of the United States and does not meet the uniform international standards and recommended practices, as promulgated

by the International Civil Aviation Organization (ICAO). The area controlled by Honolulu Control Facility (HCF) is within Oakland Oceanic Control Area/Flight Information Region (CTA/FIR) Boundary. The provision of ATC services is delegated by Oakland Air Route Traffic Control Center (ZOA) to HCF to provide flight information and alerting service within this area. Currently, HCF has Domestic Class E airspace out to 100 miles around the Hawaiian Islands. Due to the incorrect airspace designations, HCF is providing domestic IFR separation services within HCF airspace 1,200 feet MSL up to FL 600, inclusive, and in international airspace without a designated offshore airspace area. The absence of Class E and Class A airspace to the boundary of HCF's delegated airspace where ATC has radar and radio navigational signal coverage is inconsistent with the CFRs and will be corrected with this proposed rule. Under a separate rulemaking action, domestic airspace will be amended out to the 12 nautical miles limit surrounding the Hawaiian Islands. Additionally, the establishment of the high and low Offshore Airspace Areas will extend beyond the 12 NM limit to the boundary of the HCF delegated airspace.

The Proposal

The FAA is proposing an amendment to 14 CFR part 71 to establish the Hawaiian Islands High and the Hawaiian Islands Low Offshore airspace areas. The proposed area would consist of Class A airspace, extending upward from 18,000 MSL up to and including FL 600, and Class E airspace, extending upward from 1,200 feet MSL up to and including 17,999 feet MSL within HCF's designated airspace around the Hawaiian Islands. This action would facilitate the application of domestic ATC procedures within that airspace, thereby enhancing the flow of air traffic and increasing system capacity. In addition, this action would enhance safety by providing for the positive control of all aircraft operating in the area. The proposed action would also support the development of a more efficient route system and would enable airspace classification and ATC separation procedures to be consistently applied around the Hawaiian Islands. Finally, the proposed modification would establish the same classification and operating rules that currently apply in adjacent airspace.

Class A and E Offshore airspace area designations are published in paragraph 2003 and 6007 respectively, in FAA Order 7400.11B, dated August 3, 2017, and effective September 15, 2017, which

is incorporated by reference in 14 CFR 71.1. The offshore airspace area designations listed in this document will be published subsequently in the Order.

ICAO Considerations

As part of this proposal relates to navigable airspace outside the United States, this notice is submitted in accordance with the ICAO International Standards and Recommended Practices. Article 12 to the Chicago Convention provides that over the high seas the rules in force shall be those established under the convention. The application of International Standards and Recommended Practices by the FAA, Office of Airspace Services, in areas outside United States domestic airspace, is governed by Annexes 2 (Rule of the Air) and 11 (Air Traffic Services) to the Convention on International Civil Aviation, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of Article 12 and Annex 11 is to ensure that civil aircraft operations on international air routes are performed under uniform conditions. The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting State accepting this responsibility may apply the International Standards and Recommended Practices that are consistent with standards and practices utilized in its domestic jurisdiction. In accordance with Article 3 of the Convention, State-owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting State to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft. Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator is consulting with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Regulatory Notices and Analyses

The FAA has determined that this proposed regulation only involves an

established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS.

- 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11B, Airspace Designations and Reporting Points, dated August 3, 2017 and effective September 15, 2017, is amended as follows:

Paragraph 2003 Offshore Airspace Areas

* * * * *

Hawaiian Islands High [New]

That airspace extending upward from 18,000 feet MSL to and including FL 600 within the area bounded by a line beginning at lat. 24°43'17" N, long. 155°15'47" W; to lat. 24°17'45" N, long. 154°15'00" W; to lat. 23°46'50" N, long. 153°21'58" W; to lat. 23°01'27" N, long. 152°34'40" W; to lat.

22°20'39" N, long. 151°53'07" W; to lat. 21°32'52" N, long. 151°27'59" W; to lat. 20°41'49" N, long. 151°01'09" W; to lat. 19°41'47" N, long. 150°30'11" W; to lat. 19°13'22" N, long. 151°52'46" W; to lat. 19°08'32" N, long. 154°29'00" W; to lat. 18°06'32" N, long. 155°42'42" W; to lat. 17°48'18" N, long. 156°04'05" W; to lat. 17°10'14" N, long. 156°48'21" W; to lat. 17°10'14" N, long. 157°45'24" W; to lat. 17°13'28" N, long. 158°15'04" W; to lat. 17°45'21" N, long. 159°32'20" W; to lat. 18°03'09" N, long. 160°16'11" W; to lat. 18°24'28" N, long. 160°48'51" W; to lat. 19°24'54" N, long. 162°23'01" W; to lat. 19°39'29" N, long. 162°41'58" W; to lat. 20°07'00" N, long. 163°18'00" W; to lat. 21°09'04" N, long. 163°58'52" W; to lat. 22°12'20" N, long. 163°54'52" W; to lat. 23°15'30" N, long. 163°51'18" W; to lat. 24°10'08" N, long. 163°15'59" W; to lat. 25°03'24" N, long. 162°38'59" W; to lat. 25°40'34" N, long. 161°41'28" W; to lat. 26°06'18" N, long. 160°37'54" W; to lat. 26°08'41" N, long. 158°37'19" W; thence to the point of beginning, excluding that airspace within 12 miles of the shoreline of the State of Hawaii.

* * * * *

Paragraph 6007 Offshore Airspace Areas Hawaiian Islands Low [New]

That airspace extending upward from 1,200 feet MSL within the area bounded by a line beginning at lat. 19°10'04" N, long. 153°39'43" W; to lat. 19°08'32" N, long. 154°29'00" W; to lat. 19°07'10" N, long. 155°13'34" W; to lat. 18°45'39" N, long. 155°35'36" W; to lat. 18°40'54" N, long. 156°05'48" W; to lat. 19°24'23" N, long. 158°36'11" W; to lat. 20°18'00" N, long. 160°46'52" W; to lat. 20°49'07" N, long. 161°33'17" W; to lat. 21°40'37" N, long. 161°54'48" W; to lat. 22°31'49" N, long. 161°55'19" W; to lat. 23°26'57" N, long. 161°31'39" W; to lat. 23°57'27" N, long. 160°54'00" W; to lat. 24°18'03" N, long. 159°50'09" W; to lat. 24°10'39" N, long. 158°54'47" W; to lat. 23°47'34" N, long. 158°11'12" W; to lat. 23°30'03" N, long. 157°29'36" W; to lat. 23°19'54" N, long. 156°45'02" W; to lat. 23°13'26" N, long. 155°42'39" W; to lat. 22°54'59" N, long. 154°55'06" W; to lat. 22°28'14" N, long. 154°19'27" W; to lat. 21°45'08" N, long. 153°49'50" W; to lat. 21°02'31" N, long. 153°38'56" W; thence to the point of beginning, excluding that airspace within 12 miles of the shoreline of the State of Hawaii. That airspace extending upward from 5,500 feet MSL within the area bounded by a line beginning at lat. 19°11'37" N, long. 152°50'00" W; to lat. 19°08'32" N, long. 154°29'00" W; to lat. 17°48'59" N, long. 156°03'17" W; to lat. 18°28'58" N, long. 157°59'36" W; to lat. 19°03'34" N, long. 159°48'11" W; to lat. 19°29'40" N, long. 160°47'02" W; to lat. 20°00'46" N, long. 161°44'53" W; to lat. 20°50'35" N, long. 162°23'01" W; to lat. 21°50'15" N, long. 162°44'13" W; to lat. 22°52'38" N, long. 162°38'25" W; to lat. 23°55'59" N, long. 162°08'09" W; to lat. 24°43'41" N, long. 161°12'18" W; to lat. 25°00'33" N, long. 159°50'17" W; to lat. 24°50'45" N, long. 158°32'32" W; to lat. 24°19'39" N, long.

157°32'31" W; to lat. 23°59'14" N, long. 156°28'23" W; to lat. 23°53'49" N, long. 155°25'33" W; to lat. 23°24'55" N, long. 154°15'20" W; to lat. 22°41'48" N, long. 153°28'59" W; to lat. 21°45'32" N, long. 152°58'57" W; to lat. 20°35'50" N, long. 152°48'18" W; thence to the point of beginning, excluding that airspace within 12 miles of the shoreline of the State of Hawaii. That airspace upward from 10,000 feet MSL within the area bounded by a line beginning at lat. 19°12'44" N, long. 152°12'34" W; to lat. 19°08'32" N, long. 154°29'00" W; to lat. 17°20'23" N, long. 156°36'33" W; to lat. 18°33'07" N, long. 159°55'59" W; to lat. 19°03'09" N, long. 161°10'15" W; to lat. 19°31'51" N, long. 162°00'41" W; to lat. 20°11'04" N, long. 162°40'05" W; to lat. 20°58'47" N, long. 163°04'59" W; to lat. 21°56'05" N, long. 163°19'16" W; to lat. 22°54'36" N, long. 163°13'18" W; to lat. 23°36'43" N, long. 162°58'50" W; to lat. 24°30'39" N, long. 162°34'59" W; to lat. 25°07'02" N, long. 161°36'02" W; to lat. 25°33'41" N, long. 160°06'39" W; to lat. 25°27'34" N, long. 158°34'55" W; to lat. 24°43'37" N, long. 156°56'38" W; to lat. 24°30'12" N, long. 155°51'07" W; to lat. 24°16'10" N, long. 154°47'02" W; to lat. 23°53'14" N, long. 153°57'47" W; to lat. 23°14'36" N, long. 153°08'32" W; to lat. 22°20'47" N, long. 152°35'51" W; to lat. 21°12'25" N, long. 152°13'34" W; to lat. 20°33'20" N, long. 152°11'55" W; thence to the point of beginning, excluding that airspace within 12 miles of the shoreline of the State of Hawaii.

* * * * *

Issued in Washington, DC, on April 4, 2018.

Rodger A. Dean Jr.,

Manager, Airspace Policy Group.

[FR Doc. 2018-07384 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 658

[FHWA Docket No. FHWA-2018-0016]

RIN 1215-AF82

Addition to the National Network

AGENCY: Federal Highway Administration (FHWA), U.S. Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking.

SUMMARY: The FHWA is proposing to approve the addition of Sheridan Boulevard (NY 895) to the National Network (NN) and to revise its regulations to reflect the addition. The facility currently known as "Interstate-895 Sheridan Expressway" in New York City, located in Bronx County, will be reconstructed, removed from the National System of Interstate and

Defense Highways (Interstate System) to accommodate new design features, and classified as an "Urban Principal Arterial—Other." This facility will be identified as the "Sheridan Boulevard (NY 895)."

DATES: Comments must be received on or before April 23, 2018.

ADDRESSES: Mail or hand deliver comments to Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, submit comments electronically at <http://www.regulations.gov>.

All comments should include the docket number that appears in the heading of this document. All comments received will be available for examination and copying at the above address from 9 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notifications of receipt of comments must include a self-addressed, stamped postcard or may print the acknowledgment page that appears after submitting comments electronically. Anyone can search the electronic form of all comments in any one of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, or labor union). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000, (Volume 65, Number 70, Pages 19477-78) or you may visit <http://DocketsInfo.dot.gov>.

FOR FURTHER INFORMATION CONTACT: For technical information, contact Ms. Crystal Jones, FHWA Office of Freight Management and Operations, (202) 366-2976. For legal information, contact Mr. William Winne, Office of Chief Counsel, (202) 366-1397. Federal Highway Administration, 1200 New Jersey Avenue SE, Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access and Filing

You may submit or retrieve comments online through the Federal eRulemaking portal at www.regulations.gov. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

An electronic copy of this document may also be downloaded by accessing the Office of the Federal Register's home page at: <http://www.archives.gov> and the Government Publishing Office's web page at: <http://www.access.gpo.gov/nara>.

Background

The NN consists of Interstate System routes (except exempted routes) and those non-Interstate System routes added through the rulemaking process. See 49 U.S.C. 3111(e)-(f) and 31113(e); 23 CFR 658 Appendix A; see also 49 FR 23302 (June 5, 1984). To ensure that the NN remains substantially intact, FHWA retains the authority to rule upon all requests for additions to and deletions from the NN as well as requests for the imposition of certain restrictions. Pursuant to 23 CFR 658.11, requests for additions to the NN must be submitted in writing to the appropriate FHWA Division Office and endorsed by the Governor or the Governor's authorized representative. Proposals for addition of routes to the NN must also be accompanied by an analysis of suitability based on the criteria in 23 CFR 658.9. Once a non-Interstate System route is added to the NN, it is included in Appendix A of 23 CFR part 658—National Network—Federally Designated Routes.

On November 10, 2017, FHWA received a request from the New York State Department of Transportation (NYSDOT) proposing a modification to the Interstate System. The request, available in the rulemaking docket, proposes the de-designation (removal from the Interstate System) of the Sheridan Expressway (I-895), approximately a 1.3-mile Interstate between the Bruckner Expressway (I-278) and the Cross Bronx Expressway (I-95). As part of the de-designation, the State also proposes the functional reclassification of this highway segment from an Interstate to "Urban Principal Arterial—Other" and to rename the road Sheridan Boulevard (NY-895). The physical alignment of the highway would be maintained and it would therefore continue to provide the same access for commercial vehicles as currently exists. The FHWA intends to act on this request pursuant to its regulatory authority on revisions to the Interstate System (23 CFR 470.115(a) and 23 CFR 658.11(d)) and guidance on Interstate System de-designations (https://www.fhwa.dot.gov/planning/national_highway_system/interstate_highway_system/withdrawalqa.cfm).

The NYSDOT intends to keep Sheridan Boulevard (NY-895) in the NN. Because the route would no longer be in the Interstate System, it must be added to NN as a non-Interstate System route and be listed in 23 CFR 658 Appendix A. The NYSDOT proposal included the required analysis of suitability based on the criteria in 23 CFR 658.9, which includes a crash

analysis and safety study, and also documents effects on Interstate commerce, effects on alternate routes, effects on traffic operations, and consultation with local governments.

The FHWA reviewed NYSDOT's proposal and affirms that the request to add a route to the NN is consistent with 23 CFR 658.9 and 658.11 with respect to the criteria for the NN and the procedures for additions to the NN. In this Notice of Proposal Rulemaking, FHWA is proposing to approve the addition of Sheridan Boulevard (NY 895) to the NN and to revise existing regulations (23 CFR 658 Appendix A) to reflect the addition.

Rulemaking Analyses and Notices

As the Sheridan Expressway is already part of the NN due to its Interstate designation, FHWA has determined there would be no substantive impact to the public resulting from the addition of the reconstructed facility, Sheridan Boulevard, to the NN.

Executive Order 13771 (Reducing Regulation and Controlling Regulatory Costs), Executive Order 12866 (Regulatory Planning and Review), Executive Order 13563 (Improving Regulation and Regulatory Review), and DOT Regulatory Policies and Procedures

Executive Orders 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). The FHWA has determined preliminarily that this action is not a significant regulatory action within the meaning of Executive Order 12866 and is not significant within the meaning of DOT regulatory policies and procedures. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. It is anticipated that the economic impact of this rulemaking would be minimal. These changes would not adversely affect, in a material way, any sector of the economy. In addition, these changes would not interfere with any action taken or planned by another agency and would not materially alter the budgetary impact of any entitlements, grants, user fees, or loan programs. Consequently, a full regulatory evaluation is not required. Finally, this proposed rule is not an E.O. 13771 regulatory action

because it is not significant under E.O. 12866.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 601-612) the FHWA has evaluated the effects of this action on small entities and has determined that the action would not have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations under 50,000. This action does not affect any funding distributed under any of the programs administered by FHWA. For these reasons, FHWA certifies that this action would not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

This rule would not impose unfunded mandates as defined by the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4, 109 Stat. 48). This proposed rule would not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$148.1 million or more in any one year (2 U.S.C. 1532). Further, in compliance with the Unfunded Mandates Reform Act of 1995, the agencies will evaluate any regulatory action that might be proposed in subsequent stages of the proceeding to assess the effects on State, local, and Tribal governments and the private sector.

Executive Order 13132 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 13132, and FHWA has determined that this action would not have sufficient federalism implications to warrant the preparation of a federalism assessment. The FHWA has also determined that this action would not preempt any State law or State regulation or affect the States' ability to discharge traditional State governmental functions.

Executive Order 13211 (Energy Effects)

We have analyzed this action under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use, dated May 18, 2001. We have determined that it is not a significant energy action under that order since it is not likely to have a significant adverse effect on the supply,

distribution, or use of energy. Therefore, a Statement of Energy Effects is not required.

Executive Order 12372 (Intergovernmental Review)

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.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501), Federal agencies must obtain approval from the Office of Management and Budget for each collection of information they conduct, sponsor, or require through regulations. The FHWA has determined that this rule does not contain collection of information requirements for the purposes of the PRA.

Executive Order 12988 (Civil Justice Reform)

This action 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.

Executive Order 13045 (Protection of Children)

The FHWA has analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. The FHWA certifies that this action would not cause any environmental risk to health or safety that might disproportionately affect children.

Executive Order 12630 (Taking of Private Property)

The FHWA has analyzed this rule under Executive Order 12630, Governmental Actions and Interface with Constitutionally Protected Property Rights. The FHWA does not anticipate that this action would affect a taking of private property or otherwise have taking implications under Executive Order 12630.

National Environmental Policy Act

The Agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347) and has determined that this action would not have any effect on the quality of the environment.

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 658

Grants Program—transportation, Highways and roads, Motor carriers.

Issued on: April 6, 2018.

Brandye L. Hendrickson,

Acting Administrator, Federal Highway Administration.

In consideration of the foregoing, the FHWA proposes to amend 23 CFR part 658, as set forth below:

PART 658—TRUCK SIZE AND WEIGHT, ROUTE DESIGNATIONS—LENGTH, WIDTH AND WEIGHT LIMITATIONS

■ 1. The authority citation for part 658 continues to read as follows:

Authority: 23 U.S.C. 127 and 315; 49 U.S.C. 31111, 31112, and 31114; sec. 347, Pub. L. 108–7, 117 Stat. 419; sec. 756, Pub. L. 109–59, 119 Stat. 1219; sec. 115, Pub. L. 109–115, 119 Stat. 2408; 49 CFR 1.48(b)(19) and (c)(19).

■ 2. Amend Appendix A to Part 658 by adding an entry to the New York portion of the table:

Appendix A to Part 658—National Network—Federally—Designated Routes

* * * * *

Route	From	To
New York		
*	*	*
Sheridan Boulevard (NY 895)	I-278 Bruckner Expressway	I-95 Cross Bronx Expressway.
*	*	*

[FR Doc. 2018–07480 Filed 4–10–18; 8:45 am]

BILLING CODE 4910–22–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R07–OAR–2017–0143; FRL–9976–50–Region 7]

Air Plan Approval; Iowa; Amendment to the Administrative Consent Order, Grain Processing Corporation, Muscatine, Iowa; Proposal

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the State Implementation Plan (SIP) for the State of Iowa to incorporate an amendment to the Administrative Consent Order (ACO) for Grain Processing Corporation (GPC), Muscatine, Iowa. The revision amends the ACO to change the date for completion of performance testing from May 31, 2017, to May 31, 2018, to allow the state more time to complete the remaining air construction permit applications submitted by GPC, and to specify testing requirements as appropriate in the final permits. When the state submitted the request to amend the ACO, twelve of the 107 permits were incomplete. At this time, only two permits have not been issued by the State. The air quality in Muscatine, Iowa, has not been adversely impacted

by the remaining pending permit approvals. This revision will not impact the schedule for installation and operation of control equipment, will not alter any other compliance dates, and will not adversely affect air quality in Muscatine, Iowa, as explained in the revised Technical Support Document that is part of this docket.

This proposal will also address adverse comments submitted to the docket.

DATES: Comments must be received on or before May 11, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R07–OAR–2017–0143 to <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.* on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia

submissions, and general guidance on making effective comments, please visit <https://www2.epa.gov/dockets/commenting-epa-dockets>.

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

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

- I. Background
- II. What is being addressed in this document?
- III. Have the requirements for approval of a SIP revision been met?
- IV. EPA’s Response to Comment
- V. What action is EPA taking?
- VI. Incorporation by Reference
- VII. Statutory and Executive Order Reviews

I. Background

On August 25, 2017, EPA proposed to approve a revision to the Iowa State Implementation Plan (SIP) which amended the Administrative Consent Order (ACO) for Grain Processing Corporation (GPC), Muscatine, Iowa. The revision amended the ACO to change the date for completion of performance testing from May 31, 2017, to May 31, 2018, to allow the state more time to complete processing the remaining air construction permit applications submitted by GPC, and to specify testing requirements as appropriate in the remaining final permits. See 82 FR 40519. In

conjunction with the August 25, 2017 notice of proposed rulemaking (NPR), EPA issued a direct final rule (DFR) approving the amended ACO. See 82 FR 40491. In the DFR, EPA stated that if adverse comments were submitted to EPA by September 25, 2017, the action would be withdrawn and not take effect. EPA received an adverse comment prior to the close of the comment period. EPA withdrew the DFR on October 12, 2017. See 82 FR 47396.

This proposal will also address adverse comments submitted to the docket.

II. What is being addressed in this document?

This proposed revision to the Iowa State Implementation Plan (SIP) will incorporate an amendment to the Administrative Consent Order (ACO) with Grain Processing Corporation (GPC), Muscatine, Iowa. The revision changes the date for completion of performance testing from May 31, 2017, to May 31, 2018, to allow the state more time to complete processing the remaining air construction permit applications submitted by GPC, and to specify testing requirements as appropriate in the remaining final permits. This amendment will not impact the schedule for installation and operation of control equipment, will not alter any other compliance dates, and will not adversely affect air quality in the Muscatine, Iowa, area as explained in the Technical Support Document that is part of this docket.

This proposal will also address adverse comments submitted to the docket.

III. Have the requirements for approval of a SIP revision been met?

The state submission has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The state instituted a 30-day comment period; no comments were received. The submission also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained above and in more detail in the revised Technical Support Document which is part of this docket, the revision meets the substantive SIP requirements of the Clean Air Act (CAA), including section 110 and implementing regulations.

IV. EPA's Response to Comment

The public comment period for EPA's proposed rule opened August 25, 2017, the date of its publication in the **Federal Register**, and closed on September 25, 2017. During this period, EPA received an adverse comment. The adverse

comment and EPA's response is as follows:

Comment 1: The commenter first stated that the TSD was not available in the docket. The TSD was not available in the docket when the proposal and direct final notices were published on Friday, August 25, 2017.

Response 1: The TSD was made publicly available on Monday, August 28, 2017 which was one business day. EPA did not grant an extended comment period as suggested by the commenter. When the TSD was available in the docket, no additional comments were received through the end of the comment period (September 25, 2017). However, because the TSD was not publicly available on the date the notice was published, this proposal allows for additional comment.

Comment 2: The commenter stated that granting an extension for GPC to perform testing may cause a violation of emission limits, which could cause a delay in issuing permits, and therefore cause additional air pollution that would have an adverse impact on air quality in Muscatine, Iowa.

Response 2: The amendment to the ACO which provides a one-year extension on performance tests, only affects two of the total of 107 required permits. The remaining 105 permits have already been issued by the State. This ACO revision does not delay or allow an extension of the requirements for implementation of the control measures required by the ACO. GPC is still required to conduct the performance testing; the deadline is merely adjusted for the two outstanding permits. The permits that have been finalized, including the permit that allowed the facility to convert from burning coal to natural gas, have resulted in improved air quality in Muscatine, Iowa. There have been no exceedances of the 2006 24-hour NAAQS for fine particulate matter with a diameter of PM_{2.5} since July 2015, before the natural gas conversion.

The complete and quality assured ambient air quality monitoring data for the area shows that the area has, and continues to attain the NAAQS. Background information with regard to air quality in Muscatine, Iowa, as well as design values of air monitors are included in the revised TSD, included in this docket.

V. What action is EPA taking?

EPA is proposing to approve a SIP revision submitted by the State of Iowa to incorporate an amendment to the Administrative Consent Order (ACO) with Grain Processing Corporation (GPC), Muscatine, Iowa. EPA is also

responding to comments received in the docket, and by responding to comments provides additional information with regard to the remaining permits to be finalized by the State of Iowa. A revised TSD is included as part of this docket to support the revision to the ACO.

We are processing this as a proposed action because we are soliciting comments. Final rulemaking will occur after consideration of any comments.

VI. Incorporation by Reference

In this action, EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is proposing to incorporate by reference Iowa's EPA-approved State source-specific permits described in the direct final amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these materials generally available through <https://www.regulations.gov> and at the EPA Region 7 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

Therefore, these materials have been approved by EPA for inclusion in the State Implementation Plan, have been incorporated by reference by EPA into that plan, are fully Federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA's approval, and will be incorporated by reference by the Director of the Federal Register in the next update to the SIP compilation.¹

VII. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions

¹ 62 FR 27968 (May 22, 1997).

of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);

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

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

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

- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

The SIP is not approved to apply on any Indian reservation land or in any

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

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

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 11, 2018. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it

extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter, Reporting and recordkeeping requirements.

Dated: March 27, 2018.

Karen A. Flourney,

Acting Regional Administrator, Region 7.

For the reasons stated in the preamble, EPA proposes to amend 40 CFR part 52 as set forth below:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

Subpart Q—Iowa

■ 2. Section 52.820 paragraph(d) is amended by revising the entry “(29) Grain Processing Corporation” to read as follows:

§ 52.820 Identification of plan.

* * * * *
(d)* * *

EPA-APPROVED IOWA SOURCE-SPECIFIC ORDERS/PERMITS

Name of source	Order/Permit No.	State effective date	EPA approval date	Explanation
(29) Grain Processing Corporation.	Administrative Consent Order No. 2014-AQ-A1.	1–16–17	12/1/14, 79 FR 71025; amendment approved [date of final publication in the Federal Register], [final Federal Register citation].	The last sentence of Paragraph 5, Section III and Section VI are not approved by EPA as part of the SIP.

* * * * *
[FR Doc. 2018–07218 Filed 4–10–18; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2017–0006; FRL–9975–57]

Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of filing of petitions and request for comment.

SUMMARY: This document announces the Agency’s receipt of several initial filings of pesticide petitions requesting the establishment or modification of regulations for residues of pesticide chemicals in or on various commodities.

DATES: Comments must be received on or before May 11, 2018.

ADDRESSES: Submit your comments, identified by docket identification (ID) number and the pesticide petition number (PP) of interest as shown in the body of this document, by one of the following methods:

• *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

• *Mail*: OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.

• *Hand Delivery*: To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Robert McNally, Biopesticides and Pollution Prevention Division (BPPD) (7511P), main telephone number: (703) 305-7090, email address: BPPDFRNotices@epa.gov; or Michael Goodis, Registration Division (RD) (7505P), main telephone number: (703) 305-7090, email address: RDFRNotices@epa.gov. The mailing address for each contact person is:

Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each pesticide petition summary.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT** for the division listed at the

end of the pesticide petition summary of interest.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI*. Do not submit this information to EPA through www.regulations.gov or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments*. When preparing and submitting your comments, see the commenting tips at <http://www.epa.gov/dockets/comments.html>.

3. *Environmental justice*. EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low-income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticides discussed in this document, compared to the general population.

II. What action is the Agency taking?

EPA is announcing its receipt of several pesticide petitions filed under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, requesting the establishment or modification of regulations in 40 CFR part 180 for residues of pesticide chemicals in or on various food commodities. The Agency is taking public comment on the requests before responding to the petitioners. EPA is not proposing any particular action at this time. EPA has determined that the pesticide petitions described in this document contain the data or information prescribed in FFDCA section 408(d)(2), 21 U.S.C. 346a(d)(2); however, EPA has not fully evaluated

the sufficiency of the submitted data at this time or whether the data support granting of the pesticide petitions. After considering the public comments, EPA intends to evaluate whether and what action may be warranted. Additional data may be needed before EPA can make a final determination on these pesticide petitions.

Pursuant to 40 CFR 180.7(f), a summary of each of the petitions that are the subject of this document, prepared by the petitioner, is included in a docket EPA has created for each rulemaking. The docket for each of the petitions is available at <http://www.regulations.gov>.

As specified in FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), EPA is publishing notice of the petitions so that the public has an opportunity to comment on these requests for the establishment or modification of regulations for residues of pesticides in or on food commodities. Further information on the petitions may be obtained through the petition summaries referenced in this unit.

New Tolerance Exemptions for Inerts (Except PIPS)

1. *PP IN-11074*. (EPA-HQ-OPP-2018-0032). Spring Trading Company, 203 Dogwood Trail, Magnolia, TX 77354, on behalf of Clariant Corporation, Clariant Plastics & Coatings, (Deutschland) GmbH, Bruningstrasse 50, 65929 Frankfurt am Main, Germany, requests to establish an exemption from the requirement of a tolerance for residues of rice bran wax (CAS Reg. No. 1883583-80-9) when used as an inert ingredient in pesticide formulations under 40 CFR 180.910, 180.930, and 180.940(a). The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

2. *PP IN-11075*. (EPA-HQ-OPP-2018-0091). ADAMA Agan, Ltd., c/o Makhteshim Agan of North America, Inc., 3120 Highwoods Blvd., Suite 100, Raleigh NC, requests to establish an exemption from the requirement of a tolerance for residues of calcium formate; (CAS Reg. No. 544-17-2) when used as an inert ingredient (carrier) in pesticide formulations applied to growing crops under 40 CFR 180.920. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

3. *PP IN-11083*. (EPA-HQ-OPP-2018-0089). Morse Enterprises Limited, Inc., d/b/a KeyPlex, P.O. Box 2515, Winter Park, FL 32790, requests to establish an exemption from the

requirement of a tolerance for residues of α -terpineol (CAS Reg. No. 98–55–5) when used as an inert ingredient (solvent) in pesticide formulations applied to growing crops under 40 CFR 180.920. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

4. *PP IN-11093*. (EPA–HQ–OPP–2018–0090). Morse Enterprises Limited Inc. d/b/a KeyPlex, P.O. Box 2515, Winter Park, FL 32790, requests to establish an exemption from the requirement of a tolerance for residues of trans-anethole (CAS Reg. No. 4180–23–8) when used as an inert ingredient (fragrance) in pesticide formulations applied to growing crops under 40 CFR 180.920. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

5. *PP IN-11112*. (EPA–HQ–OPP–2018–0071). SciReg, Inc., 12733 Director's Loop, Woodbridge, VA 22192, on behalf of Solvay USA Inc., 504 Carnegie Center Princeton, NJ 08540, requests to establish an exemption from the requirement of a tolerance for residues for oxirane, 2-methyl-, polymer with oxirane, mono[2-[2-(2-methoxymethylethoxy)methylethoxy]methylether] ether (CAS Reg. No. 2112825–11–1) with a minimum number average molecular weight (in amu) of 10,000 Daltons, when used as an inert ingredient in pesticide formulations under 40 CFR 180.960. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

New Tolerance Exemptions for Non-Inerts (Except PIPS)

1. *PP 7F8626*. (EPA–HQ–OPP–2018–0070). Ecolab, Inc., 1 Ecolab Place, St. Paul, MN 55102, requests to establish an exemption from the requirement of a tolerance in 40 CFR part 180 for residues of the antimicrobial pesticide C10–C16 Alkylbenzene Sulfonates in or on food contact surfaces in public eating places, dairy processing equipment, and food processing equipment and utensils up to a maximum of 700 ppm when ready for use, in the end-use concentration. The petitioner believes no analytical method is needed because an exemption from the requirement of a tolerance is being proposed. Contact: AD.

2. *PP 7F8655*. (EPA–HQ–OPP–2018–0092). Clarke Mosquito Control Products, Inc., 675 Sidwell Ct., St. Charles, IL 60174, requests to establish

an exemption from the requirement of a tolerance in 40 CFR part 180 for residues of the insecticide l-carvone in or on all raw agricultural commodities. The petitioner believes no analytical method is needed because residues of this chemical are not expected on food commodities due to the ultra-low application rates and the volatile nature of the chemical, which has a vapor pressure of 24.37 Pascals at 25°C and falls into the category of “intermediate to high volatility under field conditions.” Contact: BPPD.

New Tolerances for Non-Inerts

1. *PP 7E8636*. (EPA–HQ–OPP–2018–0037). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide avermectin B1 (a mixture of avermectins containing greater than or equal to 80% avermectin B1a (5-O-demethyl avermectin A1) and less than or equal to 20% avermectin B1b (5-O-demethyl-25-de(1-methylpropyl)-25-(1-methylethyl) avermectin A1)) in or on the raw agricultural commodity tea at 1 parts per million (ppm). The analytical methods involve homogenization, filtration, partition, and cleanup with analysis by high performance liquid chromatography (HPLC)-fluorescence detection. Contact: RD.

2. *PP 7E8637*. (EPA–HQ–OPP–2018–0037). Syngenta Crop Protection, LLC, P.O. Box 18300, Greensboro, NC 27419, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide avermectin B1 (a mixture of avermectins containing greater than or equal to 80% avermectin B1a (5-O-demethyl avermectin A1) and less than or equal to 20% avermectin B1b (5-O-demethyl-25-de(1-methylpropyl)-25-(1-methylethyl) avermectin A1)) in or on the raw agricultural commodity banana at 0.002 parts per million (ppm). The analytical methods involve homogenization, filtration, partition, and cleanup with analysis by high performance liquid chromatography (HPLC)-fluorescence detection. Contact: RD.

3. *PP 7E8656*. (EPA–HQ–OPP–2018–0047). Bayer CropScience, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709, requests to establish a tolerance in 40 CFR part 180 for residues of the fungicide isotianil, 3,4-dichloro-2'-cyano-1,2-thiazole-5-carboxanilide in or on banana, fruit at 0.01 parts per million (ppm). The analytical method involves solvent extraction, purification through a Chromabond XTR cartridge (diatomaceous earth) column, and addition of a mixture of stable,

isotopically labelled internal standards. Quantitation is by high performance liquid chromatography-electrospray ionization/tandem mass spectrometry (HPLC/MS/MS). Contact: RD.

4. *PP 7F8572*. (EPA–HQ–OPP–2017–0510). FMC Corporation, 2929 Walnut Street, Philadelphia, PA 19104, requests to establish a tolerance in 40 CFR part 180 for residues of the herbicide pethoxamid in or on corn, field, forage at 0.015 parts per million (ppm); corn, field, stover at 0.02 ppm; corn, field, grain at 0.01 ppm; popcorn, stover at 0.01 ppm; popcorn, grain at 0.01 ppm; corn, sweet, forage at 0.50 ppm; corn, sweet, stover at 0.60 ppm; corn, sweet, kernel plus cobb with husk removed at 0.01 ppm; cotton, undelinted seed at 0.01 ppm; cotton, gin byproducts at 0.09 ppm; soybean, forage at 3.0 ppm; soybean, hay at 4.5 ppm; and soybean, seed at 0.01 ppm. An LC–MS/MS method is used to measure and evaluate the chemical pethoxamid. Contact: RD.

5. *PP 7F8622*. (EPA–HQ–OPP–2017–0694). DuPont Crop Protection, Stine-Haskell Research Center, P.O. Box 30, Newark, DE 19714–0030, requests to establish a tolerance in 40 CFR part 180 for residues of the insecticide, cyantraniliprole, in or on rice, hulls at 0.05 parts per million (ppm), rice, straw at 0.015 ppm, soybean, forage at 15 ppm, soybean, hay at 50 ppm, soybean, seed at 0.4 ppm, soybean, hulls at 1 ppm, and aspirated grain fractions at 200 ppm. Upon approval of the proposed tolerances in soybean forage and hay, it is proposed that the existing tolerances for indirect or inadvertent residues in soybean forage and hay be cancelled. In addition, DuPont Crop Protection requests to amend the tolerance(s) in 40 CFR.672, in or on rice, grain at 0.02 ppm by replacing an existing tolerance at the same level that is only for imported grain with a tolerance supporting both domestic production and imported grain. The high-pressure liquid chromatography with ESI- MS/MS detection is used to measure and evaluate the chemical. Contact: RD.

Authority: 21 U.S.C. 346a.

Dated: March 20, 2018.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Pesticide Programs.

[FR Doc. 2018–07516 Filed 4–10–18; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 1**

[GN Docket No. 18–22; FCC 18–18]

Encouraging the Provision of New Technologies and Services to the Public; Correction**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule; correction.

SUMMARY: This document corrects the preamble to a proposed rule published in the *Federal Register* on April 4, 2018 regarding the Provision of New Technologies and Services to the Public. The comment periods in the **DATES** section of the proposed rule published on April 4, 2018, inaccurately reflected a 30-day comment period and 45-day reply comment period, instead of the 45-day comment period, 75-day reply comment deadline stated in the proposed rule. Any comments made before this correction is published will be considered.

DATES: Comments are due on or before May 21, 2018; reply comments are due on or before June 20, 2018.

ADDRESSES: You may submit comments, identified by GN Docket No. 18–22, by any of the following methods:

- *Federal Communications Commission's website:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- *Mail:* Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- *People With Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov or phone: (202) 418–0530 or TTY: (202) 418–0432. For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Paul Murray, of the Office of Engineering and Technology, (202) 418–0688, Paul.Murray@fcc.gov.

Correction: In the *Federal Register* of April 4, 2018, in FR Doc. 2018–06741, on page 14395, in the first column, correct the “Dates” caption to read:

DATES: Comments are due on or before May 21, 2018; reply comments are due on or before June 20, 2018.

Dated: April 4, 2018.

Federal Communications Commission

Katura Jackson,*Federal Register Liaison Officer Office of the Secretary.*

[FR Doc. 2018–07369 Filed 4–10–18; 8:45 am]

BILLING CODE 6712–01–P**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[MB Docket Nos. 18–63, 17–105; FCC 18–34]

Streamlined Reauthorization Procedures for Assigned or Transferred Television Satellite Stations; Modernization of Media Regulation Initiative**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) proposes to streamline the process for reauthorizing television satellite stations when they are assigned or transferred in combination with their previously approved parent station. This document continues the Commission's efforts to modernize its regulations and reduce unnecessary requirements that can impede competition and innovation in the media marketplace.

DATES: Comments are due on or before May 11, 2018 and reply comments are due on or before May 29, 2018.

ADDRESSES: Interested parties may submit comments and replies, identified by MB Docket Nos 18–63, 17–105, by any of the following methods:

- *Federal Communications Commission's website:* <http://fjallfoss.fcc.gov/ecfs2/>. Follow the instructions for submitting comments.

- *Mail:* 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.

People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov or phone: 202–418–0530 or TTY: 202–418–0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Julie Salovaara, Industry Analysis Division, Media Bureau, FCC, at Julie.Salovaara@fcc.gov or (202) 418–2330.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking (NPRM), FCC 18–34, in MB Docket Nos. 18–63, 17–105, adopted on March 22, 2018, and released on March 23, 2018. The complete text of this document is available electronically via the search function on the FCC's Electronic Document Management System (EDOCS) web page at https://apps.fcc.gov/edocs_public/. The document is also available for public inspection and copying during regular business hours in the FCC Reference Information Center, 445 12th Street SW, Room CY–A257, Washington, DC 20554. 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 FCC's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis

1. *Introduction:* In this NPRM, the Commission proposes to streamline the process for reauthorizing television satellite stations when they are assigned or transferred in combination with their previously approved parent station. In accordance with Note 5 of section 73.3555 of the Commission's rules, authorized television satellite stations, which generally retransmit some or all of the programming of their parent station, are excepted from media ownership limits. In order for the exception to apply, a television station must obtain authorization as a satellite from the Commission, and it must be reauthorized as a satellite at the time of assignment or transfer of control. In response to the Public Notice launching the Commission's Modernization of Media Regulation Initiative, commenters assert that the reauthorization of the satellite exception can be costly and burdensome for both the station owner and the Commission. The Commission proposes to streamline the reauthorization process in order to eliminate potentially needless regulatory expense and delay. With this proceeding, the Commission continues its efforts to modernize its regulations and reduce unnecessary requirements

that can impede competition and innovation in the media marketplace.

2. *Background: Regulatory Treatment of Television Satellite Stations.*

Television satellite stations are full-power terrestrial broadcast stations authorized under part 73 of the Commission's rules that generally retransmit some or all of the programming of another television station, known as the parent station, which typically is commonly owned or operated with the satellite station. The Commission initially authorized television satellite stations in sparsely populated areas with insufficient economic bases to support full-service stations and more recently in larger markets when the proposed satellite could not operate as a full-service station. Television satellite stations are excepted from the local and national television multiple ownership limits, but from a practical perspective, the ownership exception is significant only for purposes of the Local Television Ownership Rule, which prohibits an entity from owning or controlling more than two television stations in the same local market.

3. In 1991, the Commission revised the standards for television stations seeking satellite status and the corresponding ownership exception. The Commission adopted a rebuttable presumption that stations would qualify for satellite status if: (1) There was no City Grade overlap between the parent and the satellite station; (2) the satellite station served an underserved area; and (3) no alternative operator was ready and able to construct or to purchase and operate the satellite station as a full-service station. The Commission established detailed evidentiary standards for meeting the second and third criteria. If an applicant could not qualify for the presumption, the Commission would evaluate the proposal on an *ad hoc* basis and grant the application if there were compelling circumstances warranting approval.

4. To help encourage satellite stations to air more of their own programming, the Commission eliminated the previous requirement that no more than five percent of a station's programming could be locally originated in order for the station to maintain its satellite status. The Commission stated that allowing satellite stations to exceed that limit would promote its diversity and localism goals. It recognized, however, that its action had potential ramifications for subsequent transfers or assignments of such stations because a satellite station could become more like a full-service station based on its origination of local programming.

Accordingly, it required applicants seeking to transfer or assign a parent/satellite combination that otherwise would violate the Local Television Ownership Rule to demonstrate that the conditions that had warranted satellite status continued to exist at the time of any subsequent transfer or assignment.

5. The transition to digital television service in 2009 complicated the assessment of the first prong of the Commission's presumptive standard in that there is no digital counterpart to a station's analog City Grade contour. Accordingly, in the 2010/2014 Quadrennial Review proceeding, the Commission clarified that, consistent with case law developed after the transition, it will evaluate requests for new and continued satellite status on an *ad hoc* basis, while, as a practical matter, the second and third prongs of the Commission's presumptive standard still serve as guidelines under the *ad hoc* review. This shift in approach did not change the burden of proof for initial satellite station authorizations or requests for continued satellite status in the transfer or assignment context.

6. *Modernization of Media Regulation Initiative.* In May 2017, the Commission issued a Public Notice launching a review of its media regulations to eliminate or modify rules that are outdated, unnecessary, or unduly burdensome. In response to that Public Notice, commenters urge the Commission to streamline the process for demonstrating that a television satellite station remains eligible for satellite status in connection with an assignment or transfer of the station. They argue that the current process for reauthorizing a satellite exception is lengthy, costly, unnecessary, and serves no rational purpose.

7. *Discussion:* We tentatively conclude that the process for reauthorizing satellite status when a television satellite station is assigned or transferred in combination with its previously approved parent station should be streamlined. We believe that the existing process imposes an unnecessary burden on station owners by requiring them to expend time and resources in demonstrating that a satellite exception is warranted for a previously approved parent/satellite station combination where the underlying circumstances have not materially changed. Further, the time and expense involved in obtaining a reauthorization may create an artificial disincentive for potential purchasers of satellite stations, which typically are in rural and economically depressed areas and often in need of investment. In addition, the sale of a satellite station

does not necessarily indicate that the underlying conditions warranting the satellite authorization have changed, as evidenced by the fact that the Commission has never rejected a request for a continued satellite exception despite the numerous reauthorization requests it has processed. This approval record raises questions as to the benefit gained by spending Commission resources on time-consuming reviews of detailed reauthorization requests.

8. We seek comment on ways to streamline the reauthorization process while also ensuring that the process affords the Commission and the public adequate information to determine whether reauthorization serves the public interest. We tentatively conclude that the public interest will be served by permitting a previously approved parent/satellite station combination to be assigned or transferred without the reauthorization request that currently is required and without a written Commission decision granting reauthorization if the following two conditions are met. First, we propose that the assignment or transfer application must include a certification by both parties to the transaction that the underlying circumstances that the Commission relied upon in granting the current satellite authorization have not changed materially since the issuance of the most recent authorization. Second, we propose that the assignment or transfer application must include a complete copy of the most recent written Commission decision (e.g., Letter Order) granting the satellite exception for the current parent/satellite combination. The existing petition to deny/informal comment process applicable to the assignment or transfer of licenses would provide interested parties that disagree with the applicants' certification an opportunity to present their objections. The applicants could respond within the normal pleading cycle, and the Commission then would have a record upon which to make a determination. We believe that this process will provide the Commission and the public with a sufficient opportunity to review the transaction to ensure that continued satellite status is warranted. If any objections to the satellite station's reauthorization are raised, any decision on the application would require a written decision that would include an explanation for the reauthorization decision. Absent such objections, however, the application could be granted without a written decision (provided that there are no other issues that require designation of

the application for hearing or otherwise warrant a written decision).

9. We seek comment on all aspects of this proposal. For example, what impact, if any, would the proposal have on small entities? In addition, what showing should the Commission require in the event that the Commission's most recent decision granting satellite status, which may never have been published or put in the public record, is unavailable or does not specify the facts and circumstances surrounding the grant? We also seek comment on how the Commission should memorialize its reauthorization approval when the approval of an assignment or transfer application is not a written decision explaining the scope and basis of the Commission's decision but instead is recorded only on the FCC Form 732. In such circumstances, what information should the Commission include in the FCC Form 732 authorization regarding the satellite station? In addition, to obtain reauthorization approval, is it sufficient for applicants to certify generally that there has been no material change in the circumstances that warranted the station's most recently authorized satellite status? What types of changes would be considered material? For example, would a change in contour be material if the lack of contour overlap was part of the basis upon which the underlying satellite status was granted? If the current authorization is not based on a finding that the service area was underserved or on a finding that the licensee undertook a diligent but unsuccessful search for a buyer, but instead on alternative showings, what would constitute a material change in circumstances? Alternatively, should the Commission require the applicants to attest to a set of more specific facts relevant to the Commission's usual considerations in determining satellite status? For example, where relevant, should the applicants specifically certify that the service area remains underserved as the Commission has defined that term? What other specific certifications, if any, would be useful to require without defeating the purpose of streamlining the reauthorization process?

10. We also seek comment on whether any streamlined reauthorization procedures we adopt should be restricted to transactions that involve the assignment or transfer of a television satellite station in combination with its previously approved parent station. A commenter argued that satellite status should not be limited to a particular parent/satellite combination. The suggestion was that licensees should have the flexibility to change a satellite

station's parent without needing to repeat the full showing required for an initial satellite exception. On the other hand, satellite station determinations are fact specific inquiries that rely in part on the identity of the specific stations involved. Unlike renewals of previously approved parent/satellite combinations, the Commission and the public have never had an opportunity to review the particular circumstances of the new combination. Given that there may be public interest benefits associated with a change in parent station and the fact that the public has the opportunity to raise any concerns regarding a reauthorization request, we seek comment on whether we should or should not apply any streamlined process we may adopt to transactions involving a change in a satellite station's parent.

11. Ultimately, we believe that this proposal to streamline the reauthorization process for television satellite stations is consistent with our efforts to modernize our regulations and will encourage investment in such stations by removing unnecessary constraints on their transferability. We seek comment on the costs and benefits associated with our proposals. For example, how much time, effort, and expense do reauthorization requests usually require now, and what cost savings could be achieved by allowing licensees to certify that there have been no material changes, given that a licensee must exercise due diligence in ascertaining the facts needed to support any such certification? Are there any benefits other than cost savings that are likely to occur from streamlining, and if so, how likely are such benefits to arise from the streamlining proposal we offer for comment? Based on the Commission's experience processing transactions that include satellite station reauthorizations, we do not believe that the proposals herein will impair our, or interested parties', ability to meaningfully review such transactions. We seek comment, however, on any negative consequences of streamlining, including whether this proposal will require applicants or other stakeholders to incur any additional costs beyond what they currently incur. We also seek comment on any alternative approaches. Any party advocating for an alternative approach should be as detailed as possible and should explain the costs and benefits of any recommended approach.

Procedural Matters

12. *Initial Regulatory Flexibility Act Certification*: The Regulatory Flexibility Act of 1980, as amended (RFA), requires

that an initial regulatory flexibility analysis be prepared for notice-and-comment rule making proceedings, unless the agency certifies that the rule would not have a significant economic impact on a substantial number of small entities. The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction." In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act. A "small business concern" is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA).

13. In this NPRM, the Commission seeks comment on how to streamline the process for reauthorizing television satellite stations when they are assigned or transferred in combination with their previously approved parent station. The potential rule changes discussed in the NPRM stem from a Public Notice issued by the Commission in May 2017 launching an initiative to modernize the Commission's media regulations. Commenters in the proceeding argued that the Commission should streamline the process for demonstrating that a television satellite station remains eligible for satellite status in connection with an assignment or transfer of the station because, they contend, the current process is lengthy, costly, unnecessary, and serves no rational purpose. The proposals upon which the NPRM seeks comment are intended to reduce unnecessary regulation and regulatory burdens that can impede competition and innovation in the media marketplace.

14. The Commission estimates that the rule changes proposed in this NPRM, if adopted, would reduce the time and expense associated with reauthorizing television satellite stations when they are assigned or transferred in combination with their previously approved parent station. For example, the NPRM proposes that, instead of needing to make the same type of showing that was required for the station's initial satellite authorization, the parties to the proposed transaction could certify that there has been no material change in the underlying circumstances since the current satellite authorization was granted by the Commission. In addition, a complete copy of the written Commission decision granting the current satellite exception would need to be provided with the assignment or transfer application. The NPRM seeks comment

on various aspects of the streamlining proposal and on any alternative approaches.

15. The Commission believes that the proposals on which it seeks comment in this NPRM would reduce costs and burdens currently associated with transactions involving television satellite stations, including those that are small entities. As transactions involving television satellite stations usually comprise a very small percentage of the total number of television transactions processed by the Commission and originate from a similarly small segment of the overall industry, the number of small entities impacted would not be substantial for RFA purposes. Therefore, the Commission certifies that the proposals in this NPRM, if adopted, will not have a significant economic impact on a substantial number of small entities. The Commission will send a copy of the NPRM, including a copy of this Initial Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the SBA. This initial certification will also be published in the **Federal Register**.

16. *Initial Paperwork Reduction Act Analysis*: The document contains proposed modified information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in the document, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), we seek specific comment on how we might further reduce the information collection burden for small business concerns with fewer than 25 employees.

17. *Ex Parte Rules*: This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the

presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

18. *Comments and Replies*: Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated above. 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).

19. *Electronic Filers*: Comments may be filed electronically using the internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

20. *Paper Filers*: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

21. 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.

22. All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th St. 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.

23. 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.

24. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.

25. *Availability of Documents*: Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street SW, CY–A257, Washington, DC 20554. These documents will also be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

26. *People With Disabilities*: 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 FCC’s Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

27. *Additional Information*: For additional information on this proceeding, contact Julie Salovaara of the Industry Analysis Division, Media Bureau, at Julie.Salovarra@fcc.gov or (202) 418–2330.

28. *Ordering Clauses*: Accordingly, *it is ordered* that, pursuant to the authority found in sections 1, 4(i), 4(j), 303(r), 309, and 310 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 303(r), 309, and 310, this Notice of Proposed Rulemaking *is adopted*.

29. *It is further ordered* that the Commission’s Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Act Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

Federal Communications Commission.

Marlene Dortch,
Secretary.

[FR Doc. 2018–07508 Filed 4–10–18; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 180220193–8193–01]

RIN 0648–BH79

Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2018

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes management measures for the 2018 summer flounder, scup, and black sea bass recreational fisheries. The implementing regulations for these fisheries require NMFS to publish recreational measures for the fishing year and to provide an opportunity for public comment. The intent of these measures is to constrain recreational catch to established limits and prevent overfishing of summer flounder, scup, and black sea bass.

DATES: Comments must be received by April 26, 2018.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2018–0038, by either of the following methods:

Electronic submission: Submit all electronic public comments via the Federal e-Rulemaking Portal.

- Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0038,

- Click the “Comment Now!” icon, complete the required fields

- Enter or attach your comments.

-OR-

Mail: Submit written comments to Michael Pentony, Regional Administrator, Greater Atlantic Region, 55 Great Republic Drive, Gloucester, MA 01930.

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 a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), 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).

Copies of the Environmental Assessment (EA) and other supporting documents for the recreational harvest measures are available from Dr. Christopher M. Moore, Executive Director, Mid-Atlantic Fishery Management Council, Suite 201, 800 N. State Street, Dover, DE 19901. The recreational harvest measures document is also accessible via the internet at: <http://www.mafmc.org/s/2018-sf-bsb-rec-measures-EA.pdf>.

FOR FURTHER INFORMATION CONTACT: Emily Gilbert, Fishery Policy Analyst, (978) 281–9244.

SUPPLEMENTARY INFORMATION:**Summary of Proposed Management Measures**

In this rule, NMFS proposes management measures for the 2018 summer flounder, scup, and black sea bass recreational fisheries consistent with the recommendations of the Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (Commission). NMFS is proposing measures that would apply in the Federal waters of the exclusive economic zone (EEZ). These measures apply to all Federally permitted party/charter vessels with applicable summer flounder, scup, and black sea bass permits, regardless of where they fish, unless the state in which they land implements measures that are more restrictive. These measures are intended to achieve, but not exceed, the previously established 2018 recreational harvest limits established in a final rule published on December 22, 2017 (82 FR 60682).

For summer flounder, we are proposing to continue the use of conservation equivalency measures for all the states, through the Commission, to determine the most appropriate measures to constrain landings to the 2018 recreational harvest limit. For scup, we are proposing to maintain the measures currently in place for 2017. For black sea bass, we propose to maintain the current minimum size and possession limits, but we propose to remove the current September 22–October 22 closure, which would result in an open season from May 15–December 31. The black sea bass measures are contingent upon the Commission constraining catch to the 2018 recreational harvest limit.

Background and Management Process

The summer flounder, scup, and black sea bass fisheries are managed cooperatively under the provisions of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) developed by the Council and the Commission, in consultation with the New England and South Atlantic Fishery Management Councils. The management units specified in the FMP include summer flounder (*Paralichthys dentatus*) in U.S. waters of the Atlantic Ocean from the southern border of North Carolina northward to the U.S./Canada border, and scup (*Stenotomus chrysops*) and black sea bass (*Centropristis striata*) in U.S. waters of the Atlantic Ocean from 35° 13.3′ N. lat. (the approximate latitude of Cape Hatteras, North Carolina). States manage these three species within 3 nautical miles (4.83 km) of their coasts, under the Commission’s plan for summer flounder, scup, and black sea bass. The applicable species-specific Federal regulations govern vessels and individual fishermen fishing in Federal waters of the EEZ, as well as vessels possessing a summer flounder, scup, or black sea bass Federal charter/party vessel permit, regardless of where they fish.

Recreational Management Measures Process

The Council process for recommending recreational management measures to NMFS for rulemaking is generically described below. All meetings are open to the public, and the materials utilized during such meetings, as well as any documents created to summarize the meeting results, are public information and posted on the Council’s website (www.mafmc.org) or are available from the Council by request. Therefore, extensive background on the 2018 recreational management measures recommendation process is not repeated in this preamble.

The FMP established monitoring committees for the three fisheries, consisting of representatives from the Commission, the Council, state marine fishery agency representatives from Massachusetts to North Carolina, and NMFS. The FMP’s implementing regulations require the monitoring committees to review scientific and other relevant information annually. The objective of this review is to recommend management measures to the Council that will constrain landings within the recreational harvest limits established for the three fisheries for the upcoming fishing year. The FMP limits

the choices for the types of measures to minimum fish size, per angler possession limit, and fishing season.

The Council's Demersal Species Committee and the Commission's Summer Flounder, Scup, and Black Sea Bass Management Board then consider the monitoring committees' recommendations and any public comment in making their recommendations to the Council and the Commission. The Council reviews the recommendations of the Demersal Species Committee, makes its own recommendations, and forwards them to NMFS for review. The Commission similarly adopts recommendations for the states. NMFS is required to review the Council's recommendations to ensure that they are consistent with the targets specified for each species in the FMP and all applicable laws and Executive Orders before ultimately implementing measures for Federal waters. Commission measures are final at the time they are adopted.

Summer Flounder Conservation Equivalency Process

Conservation equivalency, as established by Framework Adjustment 2 (July 29, 2001; 66 FR 36208), allows each state to establish its own recreational management measures (possession limits, minimum fish size, and fishing seasons) to achieve its state management target partitioned by the Commission from the coastwide recreational harvest limit, as long as the combined effect of all of the states' management measures achieves the same level of conservation as would Federal coastwide measures. Framework Adjustment 6 (July 26, 2006; 71 FR 42315) allowed states to form regions for conservation equivalency in order to minimize differences in regulations for anglers fishing in adjacent waters.

The Council and Board annually recommend that either state- or region-specific recreational measures be developed (conservation equivalency) or that coastwide management measures be implemented to ensure that the recreational harvest limit will not be exceeded. Even when the Council and Board recommend conservation equivalency, the Council must specify a set of coastwide measures that would apply if conservation equivalency is not approved for use in Federal waters.

When conservation equivalency is recommended, and following confirmation that the proposed state or regional measures developed through the Commission's technical and policy review processes achieve conservation equivalency, NMFS may waive the permit condition found at 50 CFR

648.4(b), which requires Federal permit holders to comply with the more restrictive management measures when state and Federal measures differ. In such a situation, Federally permitted summer flounder charter/party permit holders and individuals fishing for summer flounder in the EEZ would then be subject to the recreational fishing measures implemented by the state in which they land summer flounder, rather than the coastwide measures.

In addition, the Council and the Board must recommend precautionary default measures when recommending conservation equivalency. The Commission would require adoption of the precautionary default measures by any state that either does not submit a summer flounder management proposal to the Commission's Summer Flounder Technical Committee, or that submits measures that would exceed the Commission-specified harvest limit for that state.

Much of the conservation equivalency measures development process happens at both the Commission and the individual state level. The selection of appropriate data and analytical techniques for technical review of potential state conservation equivalent measures and the process by which the Commission evaluates and recommends proposed conservation equivalent measures are wholly a function of the Commission and its individual member states. Individuals seeking information regarding the process to develop specific state measures or the Commission process for technical evaluation of proposed measures should contact the marine fisheries agency in the state of interest, the Commission, or both.

Once the states and regions select their final 2018 summer flounder management measures through their respective development, analytical, and review processes and submit them to the Commission, the Commission will conduct further review and evaluation of the submitted proposals, ultimately notifying NMFS as to which proposals have been approved or disapproved. NMFS has no overarching authority in the development of state or Commission management measures but is an equal participant along with all the member states in the review process. NMFS neither approves nor implements individual states' measures but retains the final authority either to approve or to disapprove the use of conservation equivalency in place of the coastwide measures in Federal waters. Additionally, we will publish our determination as a final rule in the

Federal Register to establish the 2018 recreational measures for these fisheries.

2018 Summer Flounder Recreational Management Measures

NMFS proposes to implement the Council's and Commission's recommendation to manage the 2018 summer flounder recreational fishery using conservation equivalency. The 2018 summer flounder recreational harvest limit is 4.42 million lb (2,004 mt), an increase from the 2017 harvest limit of 3.77 million lb (1,711 mt). Preliminary estimates indicate that the 2017 recreational landings are 3.10 million lb (1,406 mt). These 2017 projected landings are based on preliminary Marine Recreational Information Program (MRIP) estimates through Wave 6 (November and December 2017).

The Council and Commission approved conservation equivalency at their joint meeting, held in December 2017. At this meeting, the Board voted to maintain the provisions of Addendum XXVIII to its FMP, which continues regional conservation equivalency for fishing year 2018. The Commission maintained regions that are consistent with those in place since 2016: (1) Massachusetts; (2) Rhode Island; (3) Connecticut and New York; (4) New Jersey; (4) Delaware, Maryland, and Virginia; and (5) North Carolina. Rather than liberalize measures up to the 2018 harvest limit, the Board specified that any adjustments to state measures in 2018 should result in no more than a 17-percent liberalization in coastwide harvest relative to the projected 2017 harvest of 3.23 million lb (1,465 mt), the harvest estimate available at the December 2017 meeting. The Board specified this maximum liberalization due to concerns about the status of the summer flounder stock, as well as concerns that harvest estimates for 2017 appeared to be anomalously low in terms of effort and landings, raising concerns that overages in 2018 may occur under larger liberalization if catch and effort rates increase in 2018.

NMFS proposes a suite of non-preferred coastwide measures, consistent with those adopted by the the Council and Board for implementation in 2018. Under conservation equivalency, the cumulative impact of the regional recreational measures should achieve the same constraints on harvest as the non-preferred coastwide measures. For 2018, non-preferred coastwide measures approved by the Council and Board are a 19-inch (48.3-cm) minimum fish size, a 4-fish per person possession limit, and an open season from May 15–September 15.

These measures are expected to constrain the overall recreational landings to the 2018 recreational harvest limit. If a jurisdiction's measures do not achieve the level of conservation required by the Commission, that state or region must implement the precautionary default measures. The 2018 precautionary default measures recommended by the Council and Board are identical to those in place for 2017: A 20.0-inch (50.8-cm) minimum fish size; a 2-fish per person possession limit; and an open season of July 1–August 31, 2018.

The Board reviewed and approved state and region proposals for modifying management at the Commission's February 8, 2018, meeting. With the exception of North Carolina, which intends to maintain status quo measures, all other regions have developed proposals for different 2018 recreational management that would achieve, but not exceed, a 17-percent liberalization of their 2017 harvest.

Scup Recreational Management Measures

The 2018 scup recreational harvest limit is 7.37 million lb (3,342 mt) and 2017 recreational landings are currently estimated at 4.68 million lb (2,123 mt). The status quo management measures are a 9-inch (22.9-cm) minimum fish size, 50-fish per person possession limit, and year-round season. The Council recommends maintaining the existing management measures, as no changes are needed to ensure the 2018 recreational harvest limit is not exceeded. As a result, we are proposing to maintain the current scup recreational management measures for 2018.

Black Sea Bass Recreational Management Measures

The 2018 black sea bass recreational harvest limit is 3.66 million lb (1,661 mt), a decrease of nearly 15 percent from the 2017 harvest limit of 4.29 million lb (1,945 mt). The stock biomass remains well above the biomass target and overfishing is not occurring but the overall biomass is expected to decline as the large 2011 year class moves out of the population due to natural and fishing mortality. The Council's Monitoring Committee and Commission's Technical Committee applied a smoothing technique to preliminary MRIP 2017 recreational landings through Wave 6 (November and December) to account for any anomalous estimates, which results in a 2017 harvest estimate of 3.55 million lb (1,610 mt). This estimated harvest is 17 percent below the 2017 harvest limit

and 3 percent below the 2018 harvest limit.

The Council recommends extending the current black sea bass recreational season by removing a closure that occurs from September 22–October 21 and maintaining the current possession limit and minimum size. The following measures would apply to 2018: A 15-fish possession limit, a 12.5-inch (31.75-cm) minimum size, and a season from May 15–December 31.

At its February 2018 meeting, the Commission took final action on Addendum XXX, which establishes state recreational management measures designed to constrain catch to the 2018 recreational harvest limit and regionally allocates black sea bass using a combination of exploitable biomass information from the latest stock assessment and historical harvest. Ultimately, Massachusetts through New York will be allocated 61.35 percent of the harvest limit, New Jersey will receive 30.24 percent, and Delaware through North Carolina will receive 8.41 percent. To increase regional consistency in measures, each region will establish a standard set of measures, with each state in the region afforded the flexibility to adjust its minimum size by up to 1 inch (2.54 cm) and possession limit up to three fish.

If the states do not implement measures to constrain catch to the 2018 recreational harvest limit, the Council recommends a 14-inch (35.56-cm) minimum fish size and a five-fish possession limit with an open season of May 15–September 15. The Council and NMFS expect, based on February 2018 action by the Commission's Black Sea Bass Board, that these default measures will not be necessary. States presented regional proposals to the Technical Committee and Board in March 2018. These measures should constrain catch to the 2018 harvest limit.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the Assistant Administrator has determined that this proposed rule is consistent with the Summer Flounder, Scup, and Black Sea Bass FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment. This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on

a substantial number of small entities. The Council conducted an evaluation of the potential socioeconomic impacts of the proposed measures in conjunction with an EA. According to the commercial ownership database, 359 for-hire affiliate firms generated revenues from recreational fishing for various species during the 2014–2016 period. All of those business affiliates are categorized as small businesses. It is not possible to derive what proportion of the overall revenues for these for-hire firms came from fishing activities for an individual species. Nevertheless, given the popularity of summer flounder and black sea bass as recreational species in the Mid-Atlantic and New England, revenues generated from these species are likely very important for many of these firms at certain times of the year. The 3 year average (2014–2016) combined gross receipts (all for-hire fishing activity combined) for these small entities was \$53,454,121, ranging from less than \$10,000 for 92 entities (lowest value \$238) to over \$1,000,000 for 11 entities (highest value \$2.8 million).

The economic impacts of the proposed measures in this action will be affected in part by the specific set of measures implemented at the state level for summer flounder conservation equivalency, and for black sea bass regional management. These impacts are likely to vary by species and by state, and in the case of black sea bass, some states will need to restrict measures or maintain status quo measures, while liberalizations in measures may be allowed for other states.

For summer flounder, this action would waive Federal measures in lieu of state measures designed to reach the 2018 harvest limit. Moderate liberalizations (17 percent relative to 2017 harvest) are expected to be implemented in most states for 2018. Thus, market demand may see a slight to moderate increase in 2018, although this is likely to vary by state depending on each state's current measures and how they choose to modify them in 2018. Under more liberal management measures in 2018, some anglers may transfer effort to summer flounder from other species (e.g., weakfish, striped bass, tautog, pelagics, etc.) resulting in very little change in overall fishing effort.

In general, for black sea bass, this action proposes to liberalize measures in Federal waters by removing a 30-day mid-season closure, so long as the states implement measures to constrain catch to the 2018 recreational harvest limit. The current possession limit and minimum size requirement would

remain the same as in 2017. Removal of this mid-season closure reduces conflicts between Federal/state waters regulations and allows states more flexibility in setting their measures. Because the 2018 harvest limit has decreased by about 15 percent compared to 2017, liberalizations to state waters measures are not expected to be implemented, and in fact some states may need to slightly restrict or retain their existing measures compared to 2017 when evaluating the 2017 harvest and the lower 2018 harvest limit. Measures in state waters are expected to be adjusted to be slightly more conservative for New York and states to the north. The states of Delaware through North Carolina will likely adopt the proposed Federal water measures, which may result in a slight increase in market demand in those states. However, these states account for only 7 percent of all the directed black sea bass trips taken coastwide. The Board will consider approval of final black sea bass state recreational measures in March 2018. Should the states ultimately not adopt measures that would constrain catch to the 2018 recreational harvest limit, the Council is also proposing more restrictive Federal measures that would appropriately constrain catch to meet that objective, but this would result in similar impacts as if the states implemented these measures themselves. The overall combination of management measures may be slightly more restrictive in 2018 compared to 2017, but not to a degree that is expected to substantially influence market demand for party/charter trips. Currently, the market demand for this sector is relatively stable. Because this rule will not have a significant economic impact on a substantial number of small entities, an initial regulatory flexibility analysis is not required and none has been prepared. There are no new reporting or recordkeeping requirements contained in any of the alternatives considered for this action.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: April 6, 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 648 is proposed to be amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

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

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

■ 2. Revise § 648.105 to read as follows:

§ 648.105 Summer flounder recreational fishing season.

Unless otherwise specified pursuant to § 648.107, vessels that are not eligible for a moratorium permit under § 648.4(a)(3), and fishermen subject to the possession limit, may fish for summer flounder from May 15 through September 15. This time period may be adjusted pursuant to the procedures in § 648.102.

■ 3. In § 648.107 revise introductory text to paragraph (a) to read as follows:

§ 648.107 Conservation equivalent measures for the summer flounder fishery.

(a) The Regional Administrator has determined that the recreational fishing measures proposed to be implemented by the states of Maine through North Carolina for 2018 are the conservation equivalent of the season, minimum size, and possession limit prescribed in §§ 648.105, 648.104(b), and 648.106, respectively. This determination is based on a recommendation from the Summer Flounder Board of the Atlantic States Marine Fisheries Commission.

* * * * *

■ 4. Revise § 648.146 to read as follows:

§ 648.146 Black sea bass recreational fishing season.

Vessels that are not eligible for a moratorium permit under § 648.4(a)(7), and fishermen subject to the possession limit specified in § 648.145(a), may only possess black sea bass from May 15 through December 31, unless this time period is adjusted pursuant to the procedures in § 648.142.

[FR Doc. 2018-07467 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 170714670-8309-01]

RIN 0648-BH05

Fisheries of the Exclusive Economic Zone Off Alaska; Reclassifying Squid Species in the BSAI and GOA

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

Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to implement Amendment 117 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP), Amendment 106 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA FMP), and to update the species codes for octopus. This proposed rule would prohibit directed fishing for the squid species complex (squids) by Federally permitted groundfish fishermen and specify a squid retention limit in the GOA groundfish fisheries consistent with the existing BSAI squid retention limit, and would make minor corrections to the octopus species codes. This rule is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act, the groundfish FMPs, and other applicable laws.

DATES: Comments must be received no later than May 11, 2018.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2017-0090 by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2017-0090, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Ellen Sebastian. Mail comments to P.O. Box 21668, Juneau, AK 99802-1668.

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 a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address), 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).

Electronic copies of Amendment 117 to the BSAI FMP, Amendment 106 to the GOA FMP, and the Environmental

Assessment/Regulatory Impact Review (collectively the “Analysis”) prepared for this action may be obtained from www.regulations.gov.

Electronic copies of the Initial Regulatory Flexibility Analyses for the BSAI and GOA Groundfish Harvest Specifications for 2018–2019 may be obtained from www.regulations.gov.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this rule may be submitted by mail to NMFS at the above address; by email to OIRA_Submission@omb.eop.gov; or by fax to 202–395–5806.

FOR FURTHER INFORMATION CONTACT:
Megan Mackey, 907–586–7228.

SUPPLEMENTARY INFORMATION:

Authority for Action

NMFS manages the groundfish fisheries in the exclusive economic zone of the BSAI and GOA under the BSAI FMP and GOA FMP (collectively the FMPs). The North Pacific Fishery Management Council (Council) prepared these FMPs under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.* Regulations implementing these FMPs appear at 50 CFR part 679. General regulations governing U.S. fisheries also appear at 50 CFR part 600.

This proposed rule would implement Amendments 117/106 and update the species code for octopus in several tables to 50 CFR part 679. The Council submitted Amendments 117/106 for review by the Secretary of Commerce (Secretary), and the Notice of Availability (NOA) of these amendments was published in the **Federal Register** on March 27, 2018, with comments invited through May 29, 2018 (83 FR 13117). Comments may address Amendments 117/106 or this proposed rule, but must be received by May 29, 2018 to be considered in the Secretary’s decision to approve, disapprove, or partially approve these amendments.

Background

In June 2017, the Council voted unanimously to recommend Amendments 117/106 to the FMPs to reclassify squids as non-target ecosystem component species, not in need of conservation and management. Squids are currently classified as target species in the FMPs, though as discussed below, squids are currently only caught incidental to other target fisheries. To implement Amendments 117/106, NMFS proposes regulations to

prohibit directed fishing for squids by Federally permitted groundfish fishermen and to specify a squid retention limit in the GOA groundfish fisheries consistent with the existing BSAI squid retention limit. The following sections of this preamble provide (1) groundfish stock classification in FMPs and a brief history of this proposed action; (2) the National Standards (NS) guidance for determining which species require conservation and management; (3) a description of Amendments 117/106 to the groundfish FMPs; and (4) the regulatory changes made by this proposed rule.

Stock Classification in FMPs and a Brief History of This Proposed Action

Among other requirements, FMPs must comply with the Magnuson-Stevens Act NS (16 U.S.C. 1851). NMFS has implemented regulations to provide guidance on the interpretation and application of these NS. Relevant to this proposed rule, the NS guidelines at 50 CFR 600.305(d)(11), (12) and (13) define three classifications for stocks in an FMP: (1) Target stocks in need of conservation and management that fishers seek to catch; (2) non-target stocks in need of conservation and management that are caught incidentally during the pursuit of target stocks; and (3) ecosystem component (EC) species that do not require conservation and management, but may be listed in an FMP in order to achieve ecosystem management objectives.

Under the groundfish FMPs, and harvest limit regulations at § 679.20, NMFS must establish an overfishing level (OFL), an acceptable biological catch (ABC) and a total allowable catch (TAC) for each stock or stock complex (*i.e.*, species or species group) that are assigned a target or a non-target species category classification. Overfishing occurs when the amount of catch of a stock or stock complex jeopardizes the capacity of the stock or stock complex to produce the maximum sustainable yield on a continuing basis. NMFS manages fisheries in an effort to ensure that no overfishing limits (OFLs) are exceeded in any year. Regulations at §§ 679.20(d)(1), (d)(2), and (d)(3) define the process NMFS uses to limit or prohibit fishing to prevent overfishing and maintain total catch at or below the OFL. The FMPs define the ABC as the level of a species or species group’s annual catch that accounts for the scientific uncertainty in the estimate of OFL and any other scientific uncertainty. The ABC cannot exceed the OFL. Regulations at §§ 679.20(d)(1) and (d)(2) describe the range of management

measures that NMFS uses to maintain total catch at or below the ABC. The FMPs define the TAC as the annual catch target for a species or species group, derived from the ABC by considering social and economic factors and management uncertainty. The TAC must be set lower than or equal to the ABC. Regulations at §§ 679.20(d)(1) and (d)(2) describe the range of management measures that NMFS uses to maintain total catch at or below the TAC.

NMFS establishes the OFL, ABC, and TAC for each species or species group through the annual harvest specification process. For the most recent example of the annual harvest specifications, please see the final 2017/2018 annual harvest specifications (82 FR 11826, February 27, 2017 and 82 FR 12032, February 27, 2017).

In 2010, Amendments 96/87 to the BSAI and GOA FMPs, respectively, established the EC category and designated prohibited species (salmon, steelhead trout, crab, halibut, and herring) and forage fish species (as defined in Table 2c to 50 CFR part 679 and § 679.20(i)) as EC species in the groundfish FMPs (75 FR 61639, October 6, 2010). Under the FMPs, EC species are defined as non-target species for which catch specifications (*i.e.*, an OFL, ABC, or TAC) are not required. For these EC species, NMFS maintained regulations that (1) banned the retention of prohibited species, (2) prohibited directed fishing for forage fish, and (3) established a limit, known as the maximum retainable amount (MRA), on the amount of incidental harvest of forage fish while directed fishing for other groundfish species. Regulations at 50 CFR 679.2 define the term “directed fishing.” Regulations at § 679.20(e) describe the application and calculation of MRAs.

In 2015, NMFS implemented Amendments 100/91 to the BSAI and GOA FMPs, respectively, to add grenadiers (family *Macrouridae*) to the EC category (80 FR 11897, March 5, 2015). The Council and NMFS added grenadiers to the FMPs in the EC category because grenadiers did not require conservation and management, but acknowledged their role in the ecosystem and limited the groundfish fisheries’ potential impact on grenadiers. Adding grenadiers to the EC category allowed for improved data collection and catch monitoring appropriate for grenadiers given their abundance, distribution, and catch. Additional detail is provided in the final rule implementing Amendments 100/91, and is not repeated here (80 FR 11897, March 5, 2015).

Squids are currently classified as target species in the groundfish FMPs and directed fishing for squids is allowed. However, TAC levels established annually for squids are too low to support a directed fishery in either the BSAI or GOA. Directed fishing for squids has been closed in the BSAI and GOA since 2011 (76 FR 11139, March 1, 2011). NMFS places squids on bycatch-only status at the beginning of each year through the annual harvest specifications.

Since 2010, the Council's non-target committee, Plan Teams, and Scientific and Statistical Committee have recommended that the Council explore reclassifying squids as EC category species because they do not meet the target species category classification; there is no demand for squid and squid have not been targeted or open to directed fishing in either the BSAI or GOA for many years (see Analysis section 1.2). Further, there is no conservation concern for squids because they are extremely short-lived and highly productive, the current fishing mortality is considered insignificant at a population level, and they are unlikely to be overfished in the absence of a directed fishery (see Analysis section 3.2.5).

Current OFLs and ABCs for squids are based on average catch calculations. While these limits are based on the best available scientific information, they are poorly linked to abundance. Most squids in the BSAI and GOA are associated with the pelagic environment, occurring in the water column. As described in section 3.2 of the Analysis, only three of the fifteen species of squids in the BSAI and GOA are found close to the ocean floor, and most of the available information on the distribution and abundance of squids derives from NMFS's bottom trawl surveys. Even demersal squids reside off the bottom and bottom trawl surveys do not sample squids well, though they better reflect the distribution and abundance of the three species of squids found in association with the bottom than the species in the water column. The bottom trawl survey likely underestimates biomass of squids.

While biomass estimates for squid are limited, ecosystem models can be used to estimate squid densities based upon the food habits and consumption rates of predators of squids. As described below, based on information derived from ecosystem models in the BSAI and GOA, the Council and NMFS believe that catch-based estimates of OFLs and ABCs for squids are highly underestimated (see section 3.2.2 of the Analysis). If surveys were more aligned

with squid distribution, NMFS expects that squid biomass estimates, and subsequently squid OFLs and ABCs would be substantially higher (see section 3.2.3 of the Analysis).

Under the current stock classification for squids as a target species, if the total TACs of squids are caught in the BSAI or GOA, retention of squids is prohibited in that management area for the remainder of year. If NMFS projects that incidental catch of squids in directed fisheries for groundfish species will exceed the squids OFL, NMFS may close directed fishing for those groundfish species in a management area to prevent exceeding the squids OFL (see regulations at § 679.20(d)(3)). The GOA squids TAC has not been exceeded, however the BSAI squids TAC was exceeded in 2012, 2014, and 2015. In 2015, for the first time, the BSAI squids catch exceeded the ABC and total catch was approaching the OFL (see Analysis section 3.2.3).

Section 3.2.3 of the Analysis provides a detailed description of incidental catch of squids in the BSAI and GOA groundfish fisheries. Historically, the Bering Sea pollock fishery has taken the largest amount of squids relative to the TAC, ABC, and OFL for BSAI squids. Although NMFS has not needed to close the Bering Sea pollock fishery, or other groundfish fisheries in the BSAI or GOA, to directed fishing to prevent exceeding the squids OFL, the Bering Sea pollock fishery has undertaken measures to avoid the incidental harvest of squids and exceeding the BSAI squids OFL.

As described in section 3.2.4 of the Analysis, the Bering Sea pollock fleet has coordinated with NMFS and identified areas of relatively high squids catch. The Bering Sea pollock fleet has voluntarily established specific areas where squids catch is elevated and has moved fishing operations out of these areas they term "squid boxes" prior to NMFS taking action. In the process of moving away from areas of high bycatch of squids, the Bering Sea pollock fleet may inadvertently encounter areas of increased bycatch of other species such as chum salmon, Chinook salmon, and herring for which there is greater conservation concern (see Analysis section 3.3).

Determining Which Species Require Conservation and Management

Section 302(h)(1) of the Magnuson-Stevens Act requires a council to prepare an FMP for each fishery under its authority that is in need of conservation and management. "Conservation and management" is defined in section 3(5) of the Magnuson-

Stevens Act. The NS guidelines at § 600.305(c) (revised on October 18, 2016, 81 FR 718585), provide direction for determining which stocks will require conservation and management and provide direction to regional councils and NMFS for how to consider these factors in making this determination. Specifically, the guidelines direct regional councils and NMFS to consider a non-exhaustive list of ten factors when deciding whether stocks require conservation and management.

Section 2.2.1 in the Analysis considers each of the ten factors' relevance to squids. The analysis showed that squids are an important component of the marine environment, particularly due to their importance as prey for marine mammals, fish and other squids. However, despite being classified as a target species, there are currently no directed fisheries for squids. Squids are not important to commercial, recreational or subsistence users and the fisheries for BSAI and GOA squids are not important to the National or regional economy. There are no developing fisheries for squids in the EEZ off Alaska nor in waters of the State of Alaska (State). Currently, the State adopts the MRAs established in the Federal fisheries for fisheries in State waters. In the absence of a directed fishery, squids are unlikely to become overfished because they are short-lived, highly productive, and current surveys are considered substantial underestimates of true squids biomass in both the BSAI and GOA. Therefore, maintaining squids in the FMPs for conservation and management is not likely to improve or maintain the condition of the stocks.

Amendments 117/106 to the FMPs

In June of 2017, the Council recommended, and NMFS now proposes, Amendments 117/106 to the BSAI and GOA FMPs, respectively, to reclassify squids as EC category species in the FMPs. Based on a review of the scientific information, and after considering the revised NS guidelines, the Council and NMFS determined that squids are not in need of conservation and management, and that classifying squids in the EC category is an appropriate action.

While the Council determined that squids are not in need of conservation and management as defined by the Magnuson-Stevens Act, and after considering the revised NS guidelines, the Council and NMFS determined that there are benefits to retaining squids as an EC species complex in the FMPs,

especially given their ecological importance in the BSAI and GOA.

In contrast to the BSAI where the squid TAC has been exceeded in the past and constrained fishing, the annual catch of squids has not exceeded the GOA TAC, ABC or approached the OFL, and management measures have not constrained GOA groundfish species (see section 3.2.4 of the Analysis). However, due to the lack of directed fisheries for squids in the GOA and the determination that squids are not in need of conservation and management in the GOA, the Council recommended and NMFS proposes Amendment 106 to the GOA FMP to accurately classify the squid complex in the FMP based on the best available information and for consistency with squid management in the BSAI proposed under Amendment 117.

Amendments 117/106 would establish the squids EC species complex in the FMPs to clarify that they are non-target species and would require monitoring the effects of incidental catch of squids in the groundfish fisheries on squid populations. Amendments 117/106 would allow NMFS to prohibit directed fisheries for squids and limit the retention and commercial sale of squids. By virtue of being classified as EC species, catch specifications for squids (*i.e.*, OFLs, ABCs, and TACs) would no longer be required.

Though the Council determined, and NMFS concurs, that squids are not in need of conservation and management, squid population status and bycatch should be monitored to continually assess vulnerability of squids to the fishery given their importance in the ecosystem. Therefore, the proposed rule retains record keeping and reporting requirements for squid bycatch. The proposed rule would prohibit directed fishing for squids to meet the intent of Amendments 117/106 that squids are not a target species complex. Because the definition of directed fishing at § 679.2 is based on an MRA, the proposed rule would specify a retention limit for squids so that NMFS could implement the prohibition on directed fishing to meet the intent of Amendments 117/106.

Proposed Rule

In addition to classifying squids as an EC species in the FMPs under Amendments 117/106, the Council recommended and NMFS proposes regulations to limit and monitor the incidental catch of squids. This proposed rule would—

- Prohibit directed fishing for squids in the BSAI and GOA groundfish fisheries;
- maintain recordkeeping and reporting of squids in the BSAI and GOA groundfish fisheries, but modify the regulations for clarity;
- specify a squids retention limit, or MRA, in the GOA Federal groundfish fisheries consistent with the existing BSAI squids MRA of 20 percent; and
- revise the species code tables in the regulations to indicate octopus is a multi-species category by using the plural, octopuses.

To prohibit directed fishing, this proposed rule would revise §§ 679.20(i) and 679.22(i) to prohibit directed fishing for squids at all times in the BSAI and GOA groundfish fisheries. This prohibition is consistent with the regulations and management approach for other EC species. With respect to EC species, NMFS prohibits directed fishing for forage fish and grenadiers,

To clarify definitions and recordkeeping and reporting requirements, this proposed rule would add a definition for squids at § 679.2. Recordkeeping and reporting regulations at § 679.5 would not be modified by this proposed rule, but would continue to require a vessel operator or manager in a BSAI or GOA groundfish fishery to record and report retained and discarded squids in logbooks, landing reports, and production reports. This proposed rule would add an instruction to § 679.5 to use the squids species code in Table 2c to 50 CFR part 679 (Table 2c) to record and report squid catch. Table 2c lists the species reporting codes for non-target groundfish FMP species. NMFS would modify Table 2c to add one squid species code and remove the existing squid species code from Table 2a to 50 CFR part 679 (species reporting codes for target groundfish FMP species) because squids would be removed as a target species in the groundfish FMPs. These revisions would maintain NMFS' ability to monitor the catch, retention, and discard of squids.

Section 679.20 provides the general limitations for the BSAI and GOA groundfish fisheries. Because a TAC would no longer be specified for squids, this proposed rule would remove squids from § 679.20(b)(2), which specifies the amount of the TAC that is reserved for inseason management flexibility.

The MRA is the proportion or percentage of retained catch of a species closed for directed fishing (incidental catch species) to the retained catch of a species open for directed fishing (basis species). This proposed rule would move squids out of the basis species

category and into the incidental catch species category consistent with the prohibition on directed fishing for squids under this proposed rule. In the GOA, squids are included in the “other species” category (along with sculpins, octopus, and sharks) for MRA purposes under the existing regulations. To specify a separate MRA for squids in the GOA, this proposed rule would remove squids from footnote 6, “other species” in Table 10 to 50 CFR part 679 and add squids as an incidental catch species with an MRA of 20 percent. This proposed rule would similarly revise Table 11 to 50 CFR part 679 to remove squids as a basis species in the BSAI and add squids and grenadiers footnote 7 to indicate that forage fish, grenadiers, and squids are all defined in Table 2c. This proposed change would render obsolete, footnote 9 to Table 11 at 50 CFR part 679, and it would be removed.

In developing this proposed rule, the Council and NMFS considered a range of squids MRA percentages: 2 percent, 10 percent, and the current MRA of 20 percent. The Analysis (Table 3–20) provides the percentage range of squids taken incidental to the directed pollock fisheries, by haul, in the GOA and BSAI from 2013 through 2016. The majority of the hauls contained less than two percent squids. Many hauls contained greater than two percent squids, thus an MRA of two percent has the potential to be highly constraining. Likewise, while hauls with greater than 10 percent of squids were infrequent, an MRA of 10 percent also has the potential to constrain the directed fisheries. Section 4.6.2 of the Analysis discusses that a more constraining MRA is more likely to increase discards of dead squids rather than discourage targeting. There are no conservation concerns for squids. Therefore, the Council recommended and NMFS proposes specifying an MRA for squids of 20 percent in the GOA groundfish fisheries consistent with the existing MRA for squids in the BSAI groundfish fisheries.

This proposed rule would also correct a minor technical inaccuracy in the species code for octopus. The species code for octopus in the existing regulations does not reflect the diversity of octopus species in the BSAI and GOA and refers to only one species—North Pacific octopus. Several species of octopuses occur in the BSAI and GOA. To accurately reflect the diversity of octopuses taken in the groundfish fisheries, this proposed rule would revise species code 870 in Table 2a to 50 CFR part 679 to indicate multiple species by using the plural “octopuses.” This proposed rule would also revise Table 10 to 50 CFR part 679 to update

octopus in footnote 6 to the plural “octopuses.” In addition, footnote 4 in Table 11 to part 50 CFR 679 would be revised to include the plural for octopus. This proposed correction would not affect existing reporting requirements.

Classification

Pursuant to sections 304(b)(1)(A) and 305(d) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with Amendment 117 to the BSAI FMP, Amendment 106 to the GOA FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

This proposed rule has been determined to be not significant for the purposes of Executive Order 12866.

Regulatory Impact Review (RIR)

An RIR was prepared to assess the costs and benefits of available regulatory alternatives. A copy of this analysis is available from NMFS (see **ADDRESSES**). The Council recommended Amendments 117/106 based on those measures that maximized net benefits to the Nation. Specific aspects of the economic analysis related to the impact of this proposed rule on small entities are discussed below in the Initial Regulatory Flexibility Analysis section.

Initial Regulatory Flexibility Analysis (IRFA)

This IRFA was prepared for this proposed rule, as required by section 603 of the Regulatory Flexibility Act (RFA), to describe the economic impact this proposed rule, if adopted, would have on small entities. An IRFA describes why this action is being proposed; the objectives and legal basis for the proposed rule; the number of small entities to which the proposed rule would apply; any projected reporting, recordkeeping, or other compliance requirements of the proposed rule; any overlapping, duplicative, or conflicting Federal rules; and any significant alternatives to the proposed rule that would accomplish the stated objectives, consistent with applicable statutes, and that would minimize any significant adverse economic impacts of the proposed rule on small entities. Descriptions of this proposed rule, its purpose, and the legal basis are contained earlier in this preamble and are not repeated here.

Number and Description of Small Entities Regulated by This Proposed Rule

This proposed rule would directly regulate any vessel operator harvesting squids in the Federally managed groundfish fisheries in the BSAI and GOA. The thresholds applied to determine if an entity or group of entities are “small” under the RFA depend on the industry classification for the entity or entities. Businesses classified as primarily engaged in commercial fishing are considered small entities if they have combined annual gross receipts not in excess of \$11.0 million for all affiliated operations worldwide (81 FR 4469; January 26, 2016). The most recent estimates of the number of fishing vessels participating in the BSAI and GOA groundfish fisheries that are small entities are provided in Table 2 in the Initial Regulatory Flexibility Analyses for the BSAI and GOA Harvest Specifications for 2018–2019 (see **ADDRESSES**). In 2016, there were 119 catcher vessels and 5 catcher/processors in the BSAI, and 920 catcher vessels and 3 catcher/processors in the GOA. These estimates likely overstate the number of small entities in the groundfish fisheries off Alaska because some of these vessels are affiliated through common ownership or membership in a cooperative and the affiliated vessels together would exceed the \$11.0 million annual gross receipts threshold for small entities.

The only potential adverse economic impact that has been identified for this proposed rule is that vessel owners or operators who may wish to conduct directed fishing for squids in the future, and who would wish to retain more squids than they would be allowed to retain under the 20 percent MRA, would not be able to do so. This potential adverse impact would not affect any current participants relative to opportunities available to them in recent years, because directed fishing for squid has been closed in the BSAI and GOA since 2011. Therefore, no current participants would lose an economic opportunity that is available to them today or has been available to them in recent years.

The degree to which this proposed rule could limit current fishery permit holders’ future economic activity in the BSAI or GOA could be viewed as an adverse impact of this proposed rule. This adverse economic impact could affect any future participant in these groundfish fisheries. Therefore, all fishing vessels currently participating in the BSAI and GOA groundfish fisheries that are small entities could be

adversely impacted by this proposed rule in the future. However, based on the very limited number of vessel operators who have expressed interest in conducting directed fishing for squids in the past, the actual number of small entities that would be adversely impacted by this proposed rule is likely zero or very few. Vessel operators may continue to catch and retain squids in the BSAI and GOA groundfish fisheries as long as they maintain their catch within the 20 percent MRA.

For operators of vessels currently participating in these fisheries, the economic impacts of this proposed rule are primarily beneficial or neutral. Removing squids from the BSAI target species category would remove the squids TAC from inclusion in the 2 million mt optimum yield (OY) cap in the BSAI. The amount of the OY cap that has been reserved for squids would be available to increase the TAC limit or limits for other BSAI target species. This effect would benefit participants in the BSAI fisheries that experience TAC increases relative to what the TACs would have been without this proposed rule. Some of the entities that experience benefits from increased TACs in the future may be small entities. The effects on target species TACs would be neutral for the GOA fisheries, as the OY has not constrained TACs in the GOA to date. Therefore, removing the squids TAC in the GOA will not allow for an increase in the TAC for another target species.

For participants in the Bering Sea pollock fishery, moving squids from the target species category to the EC category will remove the squid OFL as a potential constraint for the Bering Sea pollock fishery, thereby increasing the flexibility of the Bering Sea pollock fishery participants to focus on minimizing the bycatch of salmon and other PSC in the pollock fisheries. Removing this constraint would reduce the costs associated with trying to simultaneously minimize the incidental catch of squid and the incidental catch of salmon and other PSC. However, none of the directly regulated entities in the Bering Sea pollock fishery are considered small entities because all of them are affiliated through either ownership or membership in a cooperative and, when considered together, have annual gross receipts that exceed \$11.0 million annually.

Recordkeeping, Reporting, and Other Compliance Requirements

Under this proposed rule, requirements for recording and reporting the catch, discard, and production of squid in logbooks or on

catch or production reports will be maintained as they are in existing regulations. The proposed rule would make only minor modifications to clarify the recordkeeping and reporting requirements in § 679.5, Table 2a to 50 CFR part 679, and Table 2c to 50 CFR part 679. Therefore, moving squids from the target species category to the EC category will not change recordkeeping and reporting costs for fishery participants or impose any additional or new costs on participants.

Duplicate, Overlapping, or Conflicting Federal Rules

No duplication, overlap, or conflict between this proposed rule and existing Federal rules has been identified.

Description of Significant Alternatives That Minimize Adverse Impacts on Small Entities

The Council and NMFS considered three alternatives. Among the three alternatives, Alternative 2 Option 3 (the preferred alternative) provides the most economic benefits to current participants in the BSAI and GOA groundfish fisheries. The primary economic benefit of this proposed rule is to reduce the potential constraints imposed by the OFLs, ABCs, and TACs for squids on BSAI and GOA groundfish fisheries. Among the three options considered for the squids MRA (20 percent, 10 percent, and 2 percent), the 20 percent MRA that was selected minimizes the economic impact on any fishing vessel that is a small entity because it provides the greatest opportunity to retain squid as incidental catch in other groundfish fisheries.

Alternative 1 is the no action alternative and would continue to classify squids as target species in the groundfish FMPs. OFLs, ABCs, and TACs would continue to be set for squids as a species group in both the BSAI and GOA. Relative to Alternative 2, Alternative 1 could be considered less beneficial to small entities because all catch specifications would need to be maintained, and current constraints on the BSAI and GOA groundfish fisheries would continue. However, Alternative 2 (the proposed rule) also could be considered more restrictive to small entities than Alternative 1 if the prohibition on directed fishing for squids under the proposed rule limits future participants' ability to conduct directed fishing for squids more so than would occur under the status quo. Alternative 1 allows NMFS to determine annually whether to open a directed fishery for squids.

Alternative 2 would classify squids in the BSAI and GOA in the EC category

and implement a regulation prohibiting directed fishing for squids that could only be revised through subsequent rulemaking. However, the Council recommended and NMFS proposes that the benefits of the proposed rule to current fishery participants, including small entities, outweigh the potential future adverse impacts of the prohibition against directed fishing for squids. In addition, this provision can be re-evaluated by the Council and NMFS in the future if fishery participants want to develop directed fisheries for squids.

Alternative 3 would classify squids in the groundfish FMPs as "non-target" species, in which case OFLs and ABCs would still be established but TAC would no longer be specified. Relative to Alternative 2, Alternative 3 is less beneficial to small entities because certain catch specifications and their associated fishery constraints would still need to be maintained. When comparing Alternatives 1 and 3, Alternative 3 would remove the requirement for setting TACs; however, the current potential constraints on other groundfish fisheries if an OFL or ABC for squids were achieved would continue, and therefore Alternative 3 is only slightly more beneficial than Alternative 1 to small entities.

Collection-of-Information Requirements

This proposed rule refers to collection-of-information ("recordkeeping and reporting") requirements approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act (PRA). The relevant information collections are approved under OMB control number 0648-0213 (Alaska Region Logbook Family of Forms) and OMB control number 0648-0515 (Alaska Interagency Electronic Reporting System). The proposed rule would make minor revisions to these information collection requirements to clarify the location of the species code for squids in the tables to 50 CFR part 679. These revisions do not change the public reporting burden of the approved information collections or require revisions to the currently approved supporting statements for these collections.

Send comments on these or any other aspects of the collection of information to NMFS Alaska Region at the **ADDRESSES** above, by email to OIRA_Submission@omb.eop.gov, or by fax to (202) 395-5806.

Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be subject to penalty for failure to comply with, a collection of information subject

to the requirements of the PRA, unless that collection of information displays a currently valid OMB control number. All currently approved NOAA collections of information may be viewed at http://www.cio.noaa.gov/services_programs/prasubs.html.

List of Subjects in 50 CFR Part 679

Alaska, Fisheries, Recordkeeping and reporting requirements.

Dated: April 6, 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 679 is proposed to be amended as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

■ 1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.*; 1801 *et seq.*; 3631 *et seq.*; Pub. L. 108-447; Pub. L. 111-281.

■ 2. In § 679.2, add a definition for "Squids" in alphabetical order to read as follows:

§ 679.2 Definitions.

* * * * *

Squids (see Table 2c to this part and § 679.20(i)).

* * * * *

■ 3. In § 679.5, revise paragraph (a)(3) introductory text, and paragraphs (c)(3)(vi)(F), and (c)(4)(vi)(E) to read as follows:

§ 679.5 Recordkeeping and reporting (R&R).

(a) * * *

(3) *Fish to be recorded and reported.*

The operator or manager must record and report the following information (see paragraphs (a)(3)(i) through (iv) of this section) for all groundfish (see Table 2a to this part), prohibited species (see Table 2b to this part), forage fish (see Table 2c to this part), grenadiers (see Table 2c to this part), and squids (see Table 2c to this part). The operator or manager may record and report the following information (see paragraphs (a)(3)(i) through (iv) of this section) for non-groundfish (see Table 2d to this part):

* * * * *

(c) * * *

(3) * * *

(vi) * * *

(F) *Species codes.* The operator must record and report required information for all groundfish (see Table 2a to this

part), prohibited species (see Table 2b to this part), forage fish (see Table 2c to this part), grenadiers (see Table 2c to this part), and squids (see Table 2c to this part). The operator may record and report information for non-groundfish (see Table 2d to this part).

* * * * *

- (4) * * *
- (vi) * * *

(E) *Species codes.* The operator must record and report required information for all groundfish (see Table 2a to this part), prohibited species (see Table 2b to this part), forage fish (see Table 2c to this part), grenadiers (see Table 2c to this part), and squids (see Table 2c to this part). The operator may record and report information for non-groundfish (see Table 2d to this part).

* * * * *

■ 4. In § 679.20, revise paragraph (b)(2) introductory text, paragraph (i) heading, and paragraphs (i)(3), (i)(4), and (i)(5) to read as follows:

§ 679.20 General limitations.

* * * * *

(b) * * *

(2) *GOA.* Initial reserves are established for pollock, Pacific cod, flatfish, octopuses, sharks, and sculpins, which are equal to 20 percent of the TACs for these species or species groups.

* * * * *

(i) *Forage fish, grenadiers, and squids.*

* * * * *

(3) *Closure to directed fishing.*

Directed fishing for forage fish, grenadiers, and squids is prohibited at all times in the BSAI and GOA.

(4) *Limits on sale, barter, trade, and processing.* The sale, barter, trade, or processing of forage fish, grenadiers, and squids is prohibited, except as provided in paragraph (i)(5) of this section.

(5) *Allowable fishmeal production.* Retained catch of forage fish, grenadiers, or squids not exceeding the maximum retainable amount may be processed into fishmeal for sale, barter, or trade.

* * * * *

■ 5. In § 679.22, revise paragraph (i) to read as follows:

§ 679.22 Closures.

* * * * *

(i) *Forage fish, grenadiers, and squids closures.* See § 679.20(i)(3).

* * * * *

■ 6. Revise Table 2a to part 679 to read as follows:

TABLE 2a TO PART 679—SPECIES CODES: FMP GROUND FISH

Species description	Code
Atka mackerel (greenling)	193
Flatfish, miscellaneous (flatfish species without separate codes)	120
Flounder:	
Alaska plaice	133
Arrowtooth	121
Bering	116
Kamchatka	117
Starry	129
Octopuses	870
Pacific cod	110
Pollock	270
Rockfish:	
Aurora (<i>Sebastes aurora</i>)	185
Black (BSAI) (<i>S. melanops</i>)	142
Blackgill (<i>S. melanostomus</i>)	177
Blue (BSAI) (<i>S. mystinus</i>)	167
Bocaccio (<i>S. paucispinis</i>)	137
Canary (<i>S. pinniger</i>)	146
Chilipepper (<i>S. goodei</i>)	178
China (<i>S. nebulosus</i>)	149
Copper (<i>S. caurinus</i>)	138
Darkblotched (<i>S. cramerii</i>)	159
Dusky (<i>S. variabilis</i>)	172
Greenstriped (<i>S. elongatus</i>)	135
Harlequin (<i>S. variegatus</i>)	176
Northern (<i>S. polyspinis</i>)	136
Pacific Ocean Perch (<i>S. alutus</i>)	141
Pygmy (<i>S. wilsoni</i>)	179
Quillback (<i>S. maliger</i>)	147
Redbanded (<i>S. babcocki</i>)	153
Redstripe (<i>S. proriger</i>)	158
Rosethorn (<i>S. helvomaaculatus</i>)	150
Rougheye (<i>S. aleutianus</i>)	151
Sharpchin (<i>S. zacentrus</i>)	166
Shortbelly (<i>S. jordani</i>)	181
Shortraker (<i>S. borealis</i>)	152
Silvergray (<i>S. brevispinis</i>)	157
Splitnose (<i>S. diploproa</i>)	182
Stripetail (<i>S. saxicola</i>)	183
Thornyhead (all <i>Sebastolobus</i> species)	143
Tiger (<i>S. nigrocinctus</i>)	148
Vermilion (<i>S. miniatus</i>)	184
Widow (<i>S. entomelas</i>)	156
Yelloweye (<i>S. ruberrimus</i>)	145
Yellowmouth (<i>S. reedi</i>)	175
Yellowtail (<i>S. flavidus</i>)	155
Sablefish (blackcod)	710

TABLE 2a TO PART 679—SPECIES CODES: FMP GROUND FISH—Continued

Species description	Code
Sculpins	160
Sharks:	
Other (if salmon, spiny dogfish or Pacific sleeper shark—use specific species code)	689
Pacific sleeper	692
Salmon	690
Spiny dogfish	691
Skates:	
Alaska (<i>Bathyraja parmifera</i>)	703
Aleutian (<i>B. aleutica</i>)	704
Whiteblotched (<i>B. maculate</i>)	705
Big (<i>Raja binoculata</i>)	702
Longnose (<i>R. rhina</i>)	701
Other (if Alaska, Aleutian, whiteblotched, big, or longnose skate—use specific species code)	700
Sole:	
Butter	126
Dover	124
English	128
Flathead	122
Petrale	131
Rex	125
Rock	123
Sand	132
Yellowfin	127
Turbot, Greenland	134

■ 7. Revise Table 2c to part 679 to read as follows:

TABLE 2c TO PART 679—SPECIES CODES: FMP FORAGE FISH SPECIES (ALL SPECIES OF THE FOLLOWING FAMILIES), GRENADIER SPECIES, AND SQUIDS

Species Identification	Code
Forage Fish:	
Bristlemouths, lightfishes, and anglemouths (family <i>Gonostomatidae</i>)	209
Capelin smelt (family <i>Osmeridae</i>)	516
Deep-sea smelts (family <i>Bathylagidae</i>)	773
Eulachon smelt (family <i>Osmeridae</i>)	511
Gunnels (family <i>Pholidae</i>)	207
Krill (order <i>Euphausiacea</i>)	800
Lanternfishes (family <i>Myctophidae</i>)	772
Pacific Sand fish (family <i>Trichodontidae</i>)	206
Pacific Sand lance (family <i>Ammodytidae</i>)	774
Pricklebacks, war-bonnets, eelblennys, cockscombs and Shannys (family <i>Stichaeidae</i>)	208
Surf smelt (family <i>Osmeridae</i>)	515
Grenadiers:	
Giant Grenadiers (<i>Albatrossia pectoralis</i>)	214
Other Grenadiers	213
Squid:	
Squids	875

BILLING CODE 3510-22-P

■ 8. Revise Table 10 to part 679 to read as follows:

Table 10 to Part 679—Gulf of Alaska Retainable Percentages.

BASIS SPECIES		INCIDENTAL CATCH SPECIES (for DSR caught on catcher vessels in the SEO, see § 679.20 (j) ⁶)																
Code	Species	Pollock	Pacific cod	DW Flat ⁽²⁾	Rex sole	Flathead sole	SW Flat ⁽³⁾	Arrow-tooth	Sablefish	Aggregated rockfish ⁽⁷⁾	SR/RE ERA ⁽¹⁾	DSR SEO (C/Ps only) ⁽⁵⁾	Atka mackerel	Aggregated forage fish ⁽⁸⁾	Skates ⁽¹⁰⁾	Other species ⁽⁶⁾	Grenadiers ⁽¹²⁾	Squids
110	Pacific cod	20	n/a ⁽⁹⁾	20	20	20	20	35	1	5	⁽¹⁾	10	20	2	5	20	8	20
121	Arrowtooth	5	5	20	20	20	20	n/a	1	5	0	0	20	2	5	20	8	20
122	Flathead sole	20	20	20	20	n/a	20	35	7	15	7	1	20	2	5	20	8	20
125	Rex sole	20	20	20	n/a	20	20	35	7	15	7	1	20	2	5	20	8	20
136	Northern rockfish	20	20	20	20	20	20	35	7	15	7	1	20	2	5	20	8	20
141	Pacific ocean perch	20	20	20	20	20	20	35	7	15	7	1	20	2	5	20	8	20
143	Thornyhead	20	20	20	20	20	20	35	7	15	7	1	20	2	5	20	8	20
152/ 151	Shortraker/ rougheye ⁽¹⁾	20	20	20	20	20	20	35	7	15	n/a	1	20	2	5	20	8	20
193	Atka mackerel	20	20	20	20	20	20	35	1	5	⁽¹⁾	10	n/a	2	5	20	8	20
270	Pollock	n/a	20	20	20	20	20	35	1	5	⁽¹⁾	10	20	2	5	20	8	20
710	Sablefish	20	20	20	20	20	20	35	n/a	15	7	1	20	2	5	20	8	20
	Flatfish, deep-water ⁽²⁾	20	20	n/a	20	20	20	35	7	15	7	1	20	2	5	20	8	20
	Flatfish, shallow-water ⁽³⁾	20	20	20	20	20	n/a	35	1	5	⁽¹⁾	10	20	2	5	20	8	20
	Rockfish, other ⁽⁴⁾	20	20	20	20	20	20	35	7	15	7	1	20	2	5	20	8	20
172	Dusky rockfish	20	20	20	20	20	20	35	7	15	7	1	20	2	5	20	8	20
	Rockfish, DSR-SEO ⁽⁵⁾	20	20	20	20	20	20	35	7	15	7	n/a	20	2	5	20	8	20
	Skates ⁽¹⁰⁾	20	20	20	20	20	20	35	1	5	⁽¹⁾	10	20	2	n/a	20	8	20
	Other species ⁽⁶⁾	20	20	20	20	20	20	35	1	5	⁽¹⁾	10	20	2	5	n/a	8	20
	Aggregated amount of non-groundfish species ⁽¹¹⁾	20	20	20	20	20	20	35	1	5	⁽¹⁾	10	20	2	5	20	8	20

Notes to Table 10 to Part 679				
1	Shortraker/rougheye rockfish			
	SR/RE	<i>Sebastes borealis</i> (shortraker) (152)		
		<i>S. aleutianus</i> (rougheye) (151)		
	SR/RE ERA	Shortraker/rougheye rockfish in the Eastern Regulatory Area (ERA).		
Where an MRA is not indicated, use the MRA for SR/RE included under Aggregated Rockfish				
2	Deep-water flatfish	Dover sole (124), Greenland turbot (134), Kamchatka flounder (117), and deep-sea sole		
3	Shallow-water flatfish	Flatfish not including deep-water flatfish, flathead sole (122), rex sole (125), or arrowtooth flounder (121)		
4	Other rockfish	Western Regulatory Area	means other rockfish and demersal shelf rockfish	
		Central Regulatory Area		
		West Yakutat District		
		Southeast Outside District		means other rockfish
	Other rockfish			
		<i>S. aurora</i> (aurora) (185)	<i>S. variegates</i> (harlequin)(176)	<i>S. brevispinis</i> (silvergrew)(157)
		<i>S. melanostomus</i> (blackgill)(177)	<i>S. wilsoni</i> (pygmy)(179)	<i>S. diploproa</i> (splitnose)(182)
		<i>S. paucispinis</i> (bocaccio)(137)	<i>S. habcocki</i> (redbanded)(153)	<i>S. saxicola</i> (stripetail)(183)
		<i>S. goodei</i> (chilipepper)(178)	<i>S. proriger</i> (redstripe)(158)	<i>S. miniatus</i> (vermilion)(184)
		<i>S. crameri</i> (darkblotch)(159)	<i>S. zacentrus</i> (sharpchin)(166)	<i>S. reedi</i> (yellowmouth)(175)
	<i>S. elongatus</i> (greenstriped)(135)	<i>S. jordani</i> (shortbelly)(181)		
	<i>S. entomelas</i> (widow)(156)	<i>S. flavidus</i> (yellowtail)(155)		
In the Eastern Regulatory Area only. Other rockfish also includes <i>S. polyspinis</i> (northern)(136)				
5	Demersal shelf rockfish (DSR)	<i>S. pinniger</i> (canary)(146)	<i>S. maliger</i> (quillback)(147)	<i>S. ruberrimus</i> (yellowcyc)(145)
		<i>S. nebulosus</i> (china)(149)	<i>S. helvomaculatus</i> (rosethorn)(150)	
		<i>S. caurinus</i> (copper)(138)	<i>S. nigrocinctus</i> (tiger)(148)	
		DSR-SEO = Demersal shelf rockfish in the Southeast Outside District (SEO). Catcher vessels in the SEO have full retention of DSR (see § 679.20(j)).		
6	Other species	Sculpins (160)	Octopuses (870)	Sharks (689)
7	Aggregated rockfish	Aggregated rockfish (see § 679.2) means any species of the genera <i>Sebastes</i> or <i>Sebastolobus</i> except <i>Sebastes ciliates</i> (dark rockfish), <i>Sebastes melanops</i> (black rockfish), and <i>Sebastes mystinus</i> (blue rockfish), except in:		

		Southeast Outside District	where DSR is a separate species group for those species marked with an MRA
		Eastern Regulatory Area	where SR/RE is a separate species group for those species marked with an MRA
8	n/a	Not applicable	
Notes to Table 10 to Part 679			
9	Aggregated forage fish (all species of the following taxa)	Bristlemouths, lightfishes, and anglemouths (family <i>Gonostomatidae</i>)	209
		Capelin smelt (family <i>Osmeridae</i>)	516
		Dcep-sca smelts (family <i>Bathylagidae</i>)	773
		Eulachon smelt (family <i>Osmeridae</i>)	511
		Gunnels (family <i>Pholidae</i>)	207
		Krill (order <i>Euphausiacea</i>)	800
		Laternfishes (family <i>Myctophidae</i>)	772
		Pacific Sand fish (family <i>Trichodontidae</i>)	206
		Pacific Sand lance (family <i>Ammodytidae</i>)	774
		Pricklebacks, war-bonnets, cclblennys, cockscombs and shannys (family <i>Stichaeidae</i>)	208
		Surf smelt (family <i>Osmeridae</i>)	515
10	Skates Species and Groups	Alaska (<i>Bathyraja. Parmifera</i>)	703
		Aleutian (<i>B. aleutica</i>)	704
		Whiteblotched (<i>Raja binoculata</i>)	705
		Big Skates (<i>Raja binoculata</i>)	702
		Longnose Skates (<i>R. rhina</i>)	701
		Other Skates (<i>Rathyraja</i> and <i>Raja spp.</i>)	700
11	Aggregated non-groundfish	All legally retained species of fish and shellfish, including IFQ halibut, that are not listed as FMP groundfish in Tables 2a and 2c to this part.	
12	Grenadiers	Giant grenadiers (<i>Albatrossia pectoralis</i>)	214
		Other grenadiers (all grenadiers that are not Giant grenadiers)	213

BILLING CODE 3510-22-C

■ 9. Revise Table 11 to part 679 to read as follows:

Table 11 to Part 679—BSAI Retainable Percentages.

BASIS SPECIES		INCIDENTAL CATCH SPECIES																	
Code	Species	Pollock	Pacific cod	Atka mackerel	Alaska plaice	Arrowtooth	Kamchatka	Yellow fin sole	Other flatfish ²	Rock sole	Flathead sole	Greenland turbot	Sablefish ¹	Shortraker/rougheye	Aggregated rockfish ⁶	Squids ⁷	Aggregated forage fish ⁷	Other species ⁴	Grenadiers ⁽⁷⁾
110	Pacific cod	20	na ³	20	20	35	35	20	20	20	20	1	1	2	5	20	2	20	8
121	Arrowtooth	20	20	20	20	na	20	20	20	20	20	7	1	2	5	20	2	3	8
117	Kamchatka	20	20	20	20	20	na	20	20	20	20	7	1	2	5	20	2	3	8
122	Flathead sole	20	20	20	35	35	35	35	35	35	na	35	15	7	15	20	2	20	8
123	Rock sole	20	20	20	35	35	35	35	35	na	35	1	1	2	15	20	2	20	8
127	Yellowfin sole	20	20	20	35	35	35	na	35	35	35	1	1	2	5	20	2	20	8
133	Alaska Plaice	20	20	20	na	35	35	35	35	35	35	1	1	2	5	20	2	20	8
134	Greenland turbot	20	20	20	20	35	35	20	20	20	20	na	15	7	15	20	2	20	8
136	Northern	20	20	20	20	35	35	20	20	20	20	35	15	7	15	20	2	20	8
141	Pacific Ocean perch	20	20	20	20	35	35	20	20	20	20	35	15	7	15	20	2	20	8
152/ 151	Shortraker/ Rougheye	20	20	20	20	35	35	20	20	20	20	35	15	na	5	20	2	20	8
193	Atka mackerel	20	20	na	20	35	35	20	20	20	20	1	1	2	5	20	2	20	8
270	Pollock	na	20	20	20	35	35	20	20	20	20	1	1	2	5	20	2	20	8
710	Sablefish ¹	20	20	20	20	35	35	20	20	20	20	35	na	7	15	20	2	20	8
	Other flatfish ²	20	20	20	35	35	35	35	na	35	35	1	1	2	5	20	2	20	8
	Other rockfish ³	20	20	20	20	35	35	20	20	20	20	35	15	7	15	20	2	20	8
	Other species ⁴	20	20	20	20	35	35	20	20	20	20	1	1	2	5	20	2	na	8
	Aggregated amount non-groundfish species ⁸	20	20	20	20	35	35	20	20	20	20	1	1	2	5	20	2	20	8

¹ **Sablefish:** for fixed gear restrictions, see § 679.7(f)(3)(ii) and (f)(11).

² **Other flatfish** includes all flatfish species, except for Pacific halibut (a prohibited species), flathead sole, Greenland turbot, rock sole, yellowfin sole, Alaska plaice, arrowtooth flounder and Kamchatka flounder.

³ **Other rockfish** includes all “rockfish” as defined at § 679.2, except for Pacific ocean perch; and northern, shortraker, and rougheye rockfish.

⁴ **The Other species** includes sculpins, sharks, skates, and octopuses.

⁵ **na** = not applicable

⁶ **Aggregated rockfish** includes all “rockfish” as defined at § 679.2, except shortraker and rougheye rockfish.

⁷ **Forage fish, grenadiers, and squids** are all defined at Table 2c to this part.

⁸ All legally retained species of fish and shellfish, including CDQ halibut and IFQ halibut that are not listed as FMP groundfish in Tables 2a and 2c to this part.

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.

AFRICAN DEVELOPMENT FOUNDATION

Public Quarterly Meeting of the Board of Directors

AGENCY: United States African Development Foundation.

ACTION: Notice of meeting.

SUMMARY: The US African Development Foundation (USADF) will hold its quarterly meeting of the Board of Directors to discuss the agency's programs and administration.

DATES: The meeting date is Tuesday, May 01, 9:00 a.m. to 12:00 p.m.

ADDRESSES: The meeting location is USADF, 1400 I St. NW, Suite 1000, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Marie-Cécile Groelsema, 202-233-8883.

Authority: Public Law 96-533 (22 U.S.C. 290h).

Dated: April 5, 2018.

June B. Brown,
General Counsel.

[FR Doc. 2018-07385 Filed 4-10-18; 8:45 am]

BILLING CODE 6117-01-P

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Section 538 Guaranteed Rural Rental Housing Program 2018 Industry Forums—Open Teleconference and/or Web Conference Meetings

AGENCY: Rural Housing Service, USDA.

ACTION: Notice.

SUMMARY: This Notice announces a series of teleconference and/or web conference meetings regarding the U.S. Department of Agriculture (USDA) Section 538 Guaranteed Rural Rental Housing (GRRH) program, which are scheduled to occur during 2018 and 2019. This Notice also outlines

suggested discussion topics for the meetings and is intended to notify the general public of their opportunity to participate in the teleconference and/or web conference meetings.

DATES: See **SUPPLEMENTARY INFORMATION** section for dates.

FURTHER CONTACT INFORMATION: Any member of the public wishing to register for the calls and obtain the call-in number, access code, web link and other information for any of the public teleconference and/or web conference meetings may contact Monica Cole, Financial and Loan Analyst, at: (202) 720-1251, fax: (844) 875-8075, or email: monica.cole@wdc.usda.gov.

SUPPLEMENTARY INFORMATION: The objectives of this series of teleconferences are as follows:

- Enhance the effectiveness of the Section 538 GRRH program.
- Update industry participants and Rural Housing Service (RHS) staff on developments involving the Section 538 GRRH program.
- Enhance RHS' awareness of the market and other forces that impact the Section 538 GRRH program.

Topics to be discussed could include, but will not be limited to, the following:

- Updates on USDA's Section 538 GRRH program activities.
- Perspectives on the current state of debt financing and its impact on the Section 538 GRRH program.
- Enhancing the use of Section 538 GRRH program financing with the transfer and/or preservation of Section 515 developments.
- The impact of the Low Income Housing Tax Credits program changes on Section 538 GRRH program financing.

The dates and times for the teleconference and/or web conference meetings will be announced via email to parties registered as described below.

Registration: Those who request registration less than 15 calendar days prior to the date of a teleconference and/or web conference meetings may not receive notice of that teleconference and/or web conference meeting, but will receive notice of future teleconference and/or web conference meetings. The Agency expects to accommodate each participant's preferred form of participation by telephone or via web link. However, if it appears that existing capabilities may prevent the Agency from accommodating all requests for

one form of participation, each participant will be notified and encouraged to consider an alternative form of participation. Individuals who plan to participate and need reasonable accommodations or language translation assistance should inform Monica Cole within 10 business days in advance of the meeting date.

Non-Discrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) *Mail:* U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410;
- (2) *fax:* (202) 690-7442; or
- (3) *email:* program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

Dated: April 4, 2018.

Curtis M. Anderson,

Acting Administrator, Rural Housing Service.

[FR Doc. 2018-07462 Filed 4-10-18; 8:45 am]

BILLING CODE 3410-XV-P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meetings of the Kansas Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Kansas Advisory Committee (Committee) will hold a meeting on Friday, April 13, 2018 from 12:00 p.m.–1:30 p.m. Central time. The Committee will hear testimony as part of their current study on civil rights and school funding.

DATES: The meeting will take place on Friday, April 13, 2018 from 12:00 p.m.–1:30 p.m. Central time.

Public Call Information: (audio only) Dial: 888-661-5127, Conference ID: 6756270.

Web Access Information: (visual only): <https://cc.readytalk.com/r/yhgjd4l87x8o&eom>.

FOR FURTHER INFORMATION CONTACT: Melissa Wojnaroski, DFO, at mwojnaroski@usccr.gov or 312-353-8311.

SUPPLEMENTARY INFORMATION: Members of the public can listen to the discussion. This meeting is available to the public through the above listed toll free number (audio only) and web access link (visual only). Please use both the call in number and the web access link in order to fully access the meeting.

An open comment period will be provided to allow members of the public to make a statement as time allows. The conference call operator will ask callers to identify themselves, the organization they are affiliated with (if any), and an email address prior to placing callers into the conference room. Callers can expect to incur regular charges for calls they initiate over wireless lines, according to their wireless plan. The Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1-800-877-8339 and providing the Service with the conference call number and conference ID number.

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

Records generated from this meeting may be inspected and reproduced at the Regional Programs Unit 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, Kansas Advisory Committee link (<http://www.facadatabase.gov/committee/meetings.aspx?cid=249>). Click on “meeting details” and then “documents” to download. Persons interested in the work of this Committee are directed to the Commission’s website, <http://www.usccr.gov>, or may

contact the Regional Programs Unit at the above email or street address.

Agenda

Welcome and Introduction
Panel Testimony: Civil Rights and School Funding in Kansas
Public Comment
Adjournment

Exceptional Circumstance: Pursuant to 41 CFR 102-3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting because of the exceptional circumstance of panelist availability.

Dated: April 5, 2018.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2018-07383 Filed 4-10-18; 8:45 am]

BILLING CODE 6335-01-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

[03/14/2018 through 04/03/2018]

Firm name	Firm address	Date accepted for investigation	Product(s)
The Conard Corporation	101 Commerce Street, Glas-tonbury, CT 06033.	3/28/2018	The firm manufactures precision metal parts through photochemical machining processes.
RSD Security Scanners, LLC	11900 Montana Avenue, El Paso, TX 79936.	3/30/2018	The firm manufactures metal detectors, including walk-through, handheld, body-orifice, and bin-like metal detectors.

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. 2018-07380 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-WH-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG154

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold public meetings of the Council in conjunction with the Atlantic States Marine Fisheries Commission.

DATES: The meeting will be held on Monday, April 30, 2018, from 10 a.m. to 4:45 p.m. For agenda details, see

SUPPLEMENTARY INFORMATION.

ADDRESSES:

Meeting address: The meeting will be held at The Westin Crystal City, 1800 S. Eads Street, Arlington, VA 22202, telephone: (888) 627-8209.

Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674-2331 or on their website at www.mafmc.org.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526-5255.

SUPPLEMENTARY INFORMATION: The following items are on the agenda,

though agenda items may be addressed out of order (changes will be noted on the Council's website when possible).

Agenda

Monday, April 30, 2018, 10 a.m. to 12 p.m.

Summer Flounder Amendment

Consider approval of the Summer Flounder Commercial Issues Amendment draft public hearing document

Monday, April 30, 2018, 1 p.m. to 3 p.m.

Summer Flounder, Scup, and Black Sea Bass Recreational Issues

Review alternatives for Summer Flounder, Scup, and Black Sea Bass Framework/Addendum on recreational issues; Review Black Sea Bass February Recreational Fishery Harvest

Monday, April 30, 2018, 3:15 p.m. to 4:45 p.m.

Bluefish Amendment

Review and consider approval of Public Information Document/Scoping Document for Allocation Amendment

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to M. Jan Saunders, (302) 526-5251, at least 5 days prior to the meeting date.

Dated: April 6, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018-07471 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG148

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Fishery Data for Stock Assessment Working Group to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will

be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Thursday, April 26, 2018 at 10 a.m.

ADDRESSES:

Meeting address: The meeting will be held at the School for Marine Science and Technology (UMASS Dartmouth), 836 South Rodney French Boulevard, New Bedford, MA 02744; telephone: (508) 999-8193.

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

FOR FURTHER INFORMATION CONTACT:

Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Agenda

The Fishery Data for Stock Assessment Working Group will start the meeting with welcoming and introductions as this is the first meeting of this working group. The group will review working group objectives and timeline. They will begin discussions on how the working group can meet the objective of how fishery dependent data can be used to inform stock abundance. The group will also identify work to address the four main deliverables. Other business may be discussed if necessary.

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

Special Accommodations

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

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

Dated: April 6, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018-07469 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648–XG155

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings and hearings.

SUMMARY: The Western Pacific Fishery Management Council (Council) will convene a meeting of its Archipelagic Fishery Ecosystem Plan Team (FEP) and the Fishery Data Collection and Research Committee—Technical Committee (FDCRC–TC). The Archipelagic FEP Team will review the fishery performance, ecosystem consideration, and data integration chapter of the Stock Assessment and Fishery Evaluation (SAFE) Report for the Western Pacific region, conduct the evaluation of the 2017 catches to the 2017 Annual Catch Limits (ACL) for the coral reef, crustacean, and Territory bottomfish fisheries, review of the ecosystem component action, aquaculture, and crustacean Essential Fish Habitat (EFH) review. The FDCRC–TC will review the status of the data collection improvement efforts in the Western Pacific region, progress on the Pacific Island Fisheries Research Program, discuss the collection of fisheries data for management unit species (MUS) and Ecosystem Component Species (ECS), and the implementation of the Marine Recreational Information Program (MRIP)—Pacific Islands Regional Implementation Plan (PIRIP).

DATES: The Archipelagic FEP Team meeting will be held between 8:30 a.m. and 5:00 p.m. on April 30—May 1, 2018. The FDCRC–TC will be held on May 2–3, 2018. For specific times and agendas, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The FEP Team and FDCRC–TC meetings will be held at the Western Pacific Regional Fishery Management Council Conference Room, 1164 Bishop St., Suite 1400, Honolulu, HI 96813; phone: (808) 522–8220.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director; phone: (808) 522–8220.

SUPPLEMENTARY INFORMATION: Public comment periods will be provided throughout the agendas. The order in which agenda items are addressed may

change. The meetings will run as late as necessary to complete scheduled business.

Agenda for Archipelagic FEP Team Meeting

Monday, April 30, 2018, 8:30 a.m. to 5 p.m.

1. Welcome and Introductions
2. Approval of Draft Agenda, 2017 Report and Assignment of Rapporteurs
3. Report on Previous Plan Team recommendations and Council Actions
4. 2017 Annual SAFE Report
 - A. Fishery Performance
 1. Archipelagic Fisheries Modules
 - a. American Samoa
 1. Coral Reef Fisheries
 2. Bottomfish Fishery
 3. Crustacean Fishery
 4. Precious Coral Fishery
 - b. Guam
 1. Coral Reef Fisheries
 2. Bottomfish Fishery
 3. Crustacean Fishery
 4. Precious Coral Fishery
 - c. Commonwealth of the Northern Mariana Islands
 1. Coral Reef Fisheries
 2. Bottomfish Fishery
 3. Crustacean Fishery
 4. Precious Coral Fishery
 - d. Hawaii
 1. Coral Reef Fisheries (Commercial and Non-Commercial)
 2. Bottomfish Fishery
 3. Crustacean Fishery
 4. Precious Coral Fishery
 - B. Ecosystem Considerations
 1. Protected Species Section
 2. Climate, Ecosystems and Biological Section
 - a. Environmental and Climate Variables
 - b. Life History and Length-Derived Variables
 3. Habitat Section
 - a. Crustacean EFH Review
 4. Socioeconomics Section
 5. Marine Planning Section
 6. Discussions
 7. Public Comment
 - C. Administrative Reports
 1. Number of Federal Permits
 2. Regulatory Actions in 2017
 3. Discussions
 4. Public Comment
 - D. Data Integration Chapter
 1. Draft Data Integration Chapter
 2. Predictive Mapping Tool in the Hawaii Non-Commercial Fisheries
 3. Discussion on Moving the Analysis Forward for Chapter 3
 4. Public Comment

Tuesday, May 1, 2018, 8:30 a.m. to 5 p.m.

5. Web-Interface of the SAFE Report
 6. Action Agenda Items
 - A. Evaluating 2017 Catches to its Respective 2017 ACLs
 1. Coral Reef Fisheries
 2. Crustacean Fisheries
 3. Territory Bottomfish Fisheries
 - B. Ecosystem Component Amendment
 1. Monitoring of Management Unit Species (MUS) and ECS
 2. Changes in the SAFE report due to ECS Designation
 - C. Omnibus Amendment to Establish an Aquaculture Management Program
 - D. Main Hawaiian Islands Deep 7 Bottomfish Fishery
 1. Stock Assessment for the Main Hawaiian Islands Deep 7 Bottomfish Complex 2018, with Catch Projections Through 2022
 2. Risk of Overfishing (P*) Working Group Report on the Main Hawaiian Islands Deep 7 Bottomfish Fishery
 3. Social, Economic, Ecological, and Management Uncertainty (SEEM) Working Group Report on the Main Hawaiian Islands Deep 7 Bottomfish Fishery
 - E. Refining Precious Corals EFH—Plan Team Working Group Report
 - F. Discussions
 - G. Public Comment
 7. Monitoring and Updating Priorities
 - A. Council's 5-year Research Priorities
 - B. Cooperative Research Priorities
 - C. Management Strategy Evaluation Priorities
 8. General Discussions
 9. Fishery Ecosystem Plan Team Recommendations
 10. Other Business
- Wednesday, May 2, 2018, 8:30 a.m. to 5 p.m.*
- Agenda for FDCRC–TC Meeting
1. Welcome and Introductions
 2. Approval of Draft Agenda, 2017 Report & Assignment of Rapporteurs
 3. Report on Previous FDCRC–TC Recommendations and Council Actions
 4. Piecing Together Current Efforts to Improve Fishery Data Collection
 5. Status of the Fishery Dependent Data Collection Improvement Efforts
 - A. American Samoa
 - B. Guam
 - C. CNMI
 - D. Hawaii
 - E. MRIP and Territory Science Initiative Projects
 - F. Western Pacific Fishery Information Network Database

- Transition and Online Interface
 G. Discussions
 H. Public Comment
6. Updates on Ecosystem Monitoring and Research
 A. Life History Research
 B. Ecosystem Research
 C. Socio-Economics
 D. Guam Ecosystem Research
 E. Discussions
 F. Public Comment
7. Pacific Islands Fisheries Research Program
 A. Climate Change Impacts on the American Samoa Coral Reef Fisheries
 B. Bayesian Approach to Catch Estimation
 C. Hawaii and Guam Fishing Community Perceptions of the Marine Protected Area Siting Process and its Implications
 D. Discussions
 E. Public Comment
8. Marine Recreational Information Program/Territory Science Initiative
 A. MRIP Pacific Islands Regional Implementation Plan (MRIP PIRIP)
 B. Description of the Certification Process
 C. Discussion on the Preparation for the MRIP PIRIP Implementation
 D. Future of Territory Science Initiative
 E. Public Comment
- Thursday, May 3, 2018, 8:30 a.m. to 12 noon
9. MUS and ECS Monitoring
 A. Need for Monitoring Changes
 B. Discussion on Potential Changes in the Data Collection System
 C. Discussion on Potential Changes to the Database and Reporting
 D. Discussion on Potential Funding to Support the Data Collection Changes
 E. Discussion on Potential Legislative Support for Data Collection Changes
 F. Public Comment
10. General Discussions
 11. Other Business
 12. FDCRC-TC Recommendations

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: April 6, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018-07472 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG137

Fisheries of the South Atlantic; South Atlantic 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 South Atlantic Fishery Management Council (Council) will hold a meeting of its Scientific and Statistical Committee (SSC) in Charleston, SC.

DATES: The SSC will meet on Tuesday, May 1, 2018, from 8:30 a.m. to 5:30 p.m.; Wednesday, May 2, 2018, from 8:30 a.m. to 5:30 p.m.; and Thursday, May 3, 2018, from 8:30 a.m. to 3 p.m.

ADDRESSES: The meeting will be held at the Town & Country Inn and Suites, 2008 Savannah Hwy., Charleston, SC 29407; phone: (800) 334-6660 or (843) 571-1000; fax: (843) 766-9444.

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; phone: (843) 571-4366 or toll free: (866) SAFMC-10; fax: (843) 769-4520; email: kim.iverson@safmc.net.

SUPPLEMENTARY INFORMATION: The following agenda items will be discussed by the SSC during the meeting:

1. SSC member orientation the morning of May 1.
2. Review the recommendations of the Blueline Tilefish Acceptable Biological Catch (ABC) Workgroup and recommend an ABC for Blueline Tilefish from Cape Hatteras, NC to the NC/VA border.
3. Review the recommendations of the Red Snapper ABC Workgroup and recommend a method for determining an ABC for Red Snapper.
4. Receive an update on ongoing research from the Southeast Fisheries Science Center.

5. Review the Southeast Data, Assessment and Review (SEDAR) 56 Black Sea Bass standard stock assessment and provide fishing level recommendations.

6. Review and provide comment on changes and decisions made concerning the Comprehensive ABC Control Rule Amendment during the March Council meeting.

7. Review the SEDAR 55 Vermilion Snapper standard stock assessment and provide fishing level recommendations.

8. Receive updates and progress reports on ongoing Council amendments and activities.

9. Review and provide comment on regulations identified by the Council as being unneeded, outdated, or ineffective and that can be removed from current Fishery Management Plans.

10. Review and comment on the appropriateness of the data used in the Wreckfish Individual Transferable Quota (ITQ) review.

11. Review the most recent projections and available information for Golden Tilefish and recommend a revised ABC as appropriate.

12. Receive updates on SEDAR projects, including the Cobia Stock Identification Workshop; approve the terms of reference, schedule, and identify participants for the Yellowtail Snapper, Cobia, Scamp, and King Mackerel assessments; and recommend assessment priorities for 2020 and beyond.

13. Identify stocks to include as key stocks under the Long-Term Assessment Approach discussed at the October 2017 meeting; review and comment on the information available between assessments and the proposed interim analysis.

14. Review the SSC's Socio-Economic Panel report.

15. Elect a new chair and vice-chair.

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.

Written comment on SSC agenda topics is to be distributed to the Committee through the Council office, similar to all other briefing materials. Written comment to be considered by the SSC shall be provided to the Council office no later than one week prior to an

SSC meeting. For this meeting, the deadline for submission of written comment is 12 p.m., Tuesday, April 24, 2018.

Multiple opportunities for comment on agenda items will be provided during SSC meetings. Open comment periods will be provided at the start of the meeting and near the conclusion. Those interested in providing comment should indicate such in the manner requested by the Chair, who will then recognize individuals to provide comment.

Additional opportunities for comment on specific agenda items will be provided, as each item is discussed, between initial presentations and SSC discussion. Those interested in providing comment should indicate such in the manner requested by the Chair, who will then recognize individuals to provide comment. All comments are part of the record of the meeting.

Special Accommodations

This meeting is accessible to people with disabilities. Requests for auxiliary aids should be directed to the SAFMC office (see **ADDRESSES**) at least 10 business days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: April 6, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018-07468 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG153

Fisheries of the South Atlantic; South Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold meetings of the following Citizen Science Advisory Panel Action Teams: Projects/Topics Management; Communication/Outreach/Education; and Data Management via webinar.

DATES: The Projects/Topics Management Team will be held on Thursday, April 26, 2018 at 2 p.m.; Communication/

Outreach/Education Team on Friday, April 27, 2018 at 10 a.m.; and Data Management Team on Friday, April 27, 2018 at 1 p.m. Each meeting is scheduled to last approximately 90 minutes. Additional Action Team webinar and plenary webinar dates and times will publish in a subsequent issue in the **Federal Register**.

ADDRESSES:

Meeting address: The meetings will be held via webinar and are open to members of the public. Webinar registration is required and registration links will be posted to the Citizen Science program page of the Council's website at www.safmc.net.

Council address: South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT:

Amber Von Harten, Citizen Science Program Manager, SAFMC; phone: (843) 302-8433 or toll free: (866) SAFMC-10; fax: (843) 769-4520; email: amber.vonharten@safmc.net.

SUPPLEMENTARY INFORMATION: The Council created a Citizen Science Advisory Panel Pool in June 2017. The Council appointed members of the Citizen Science Advisory Panel Pool to five Action Teams in the areas of Volunteers, Data Management, Projects/Topics Management, Finance, and Communication/Outreach/Education to develop program policies and operations for the Council's Citizen Science Program.

Each Action Team will meet to continue work on developing recommendations on program policies and operations to be reviewed by the Council's Citizen Science Committee. Public comment will be accepted at the beginning of the meeting. Items to be addressed during these meetings:

1. Discuss work on tasks in the Terms of Reference
2. Other Business

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for auxiliary aids should be directed to the Council office (see **ADDRESSES**) 3 days prior to the meeting.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: April 6, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018-07470 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG157

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 61 Data Webinar for Gulf of Mexico red grouper.

SUMMARY: The SEDAR 61 stock assessment process for Gulf of Mexico red grouper will consist of an In-person Workshop, and a series of data and assessment webinars. See

SUPPLEMENTARY INFORMATION.

DATES: The SEDAR 61 Data Webinar will be held May 1, 2018, from 3 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, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

The items of discussion during the Data Webinar are as follows:

Panelists will review the data sets being considered for the assessment and discuss initial modeling efforts.

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

The meeting is 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: April 6, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018-07474 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XF843

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Alaska Liquefied Natural Gas (LNG) Project in Cook Inlet

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

ACTION: Notice; receipt of application for letter of authorization; request for comments and information.

SUMMARY: NMFS has received a request from the Alaska Gasline Development Corporation (AGDC) for authorization to take, by harassment, marine mammals incidental to constructing an integrated liquefied natural gas (LNG) project in Cook Inlet, Alaska, beginning November 2019 and continuing through October 2024. Pursuant to the implementing regulations of the Marine Mammal Protection Act (MMPA), NMFS is announcing our receipt of the AGDC's request for regulations governing the incidental taking of marine mammals and inviting information, suggestions, and comments on the AGDC's application and request.

DATES: Comments and information must be received no later than May 11, 2018.

ADDRESSES: Comments on the application should be addressed to Jolie Harrison, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. The mailbox address for providing email comments is ITP.guan@noaa.gov.

Instructions: NMFS is not responsible for email comments sent to addresses other than the one provided here. Comments sent via email, including all attachments, must not exceed a 10-megabyte file size. All comments received are a part of the public record and will generally be posted to www.nmfs.noaa.gov/pr/permits/incidental/construction.htm without change. All Personal Identifying Information (for example, name, address, etc.) 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: Shane Guan, Office of Protected Resources, NMFS, (301) 427-8401.

SUPPLEMENTARY INFORMATION:

Availability

An electronic copy of the AGDC's application may be obtained online at: www.nmfs.noaa.gov/pr/permits/incidental/energy_other.htm.

Background

Sections 101(a)(5)(A) and (D) of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (Secretary) to allow, upon request, the incidental, but not intentional taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) if certain findings are made and regulations are issued or, if the taking is limited to harassment, notice of a proposed authorization is provided to the public for review.

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 taking 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.

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).

The use of sound sources such as those described in the application (*e.g.*, pile driving) may result in the take of marine mammals through disruption of behavioral patterns or may cause auditory injury of marine mammals. Therefore, incidental take authorization under the MMPA is warranted.

Summary of Request

On April 18, 2017, NMFS received an application from the AGDC requesting authorization to take a small number of humpback whale, beluga whale, killer whale, harbor porpoise, and harbor seal, by Level B harassment, incidental to

noise exposure resulting from constructing LNG facilities in Cook Inlet, Alaska from 2019 to 2023. AGDC's request is for take of five species of marine mammals, by Level B harassment only. Neither AGDC nor NMFS expects injury, serious injury, or mortality to result from this activity. NMFS provided questions and comments to AGDC after receiving the initial application regarding the scope of the project and impact analysis. AGDC submitted a modified request on February 23, 2018 and NMFS deemed the application adequate and complete on March 14, 2018.

Description of the Specified Activity

AGDC proposes to construct facilities to transport and offload LNG in Cook Inlet, AK, for export. The Project activities include:

- Construction of the proposed Marine Terminal in Cook Inlet, including construction of a temporary Material Offloading Facility (MOF) and a permanent Product Loading Facility (PLF).
- Construction of the Mainline across Cook Inlet, including the potential construction of a Mainline MOF on the west side of Cook Inlet.

Components of proposed construction activities in Cook Inlet that have the potential to expose marine mammals to received acoustic levels that could result in take include:

- Vibratory and impact pile driving associated with MOF and PLF construction.
- Anchor handling associated with pipelay across the Cook Inlet.

For pile driving over the project duration, a total of 130 48-inch (-in) and 201 60-in steel piles would be installed using impact hammers for the PLF construction. A total of 7 24-in and 28 48-in steel piles would be installed using impact hammers and 66 18-in and 35 60-in steel piles using vibratory hammers for the MOF construction. In addition, approximately 6,700 feet and 670 feet of sheet pile would be installed using a vibratory and impact hammer, respectively, for the MOF construction.

For anchor handling, a total of 5.75 and 13.25 hours of activities are assessed for mooring/pipe trenching and pipelaying in Seasons 3 and 4, respectively.

The LNG facility construction activities are anticipated to begin in late 2019 and take approximately four years to complete. However, the rule will cover a five-year period to encompass additional time should delays occur.

A suite of proposed mitigation and monitoring measures for marine mammals that could potentially be

taken during in-water construction activities includes: (1) Establishing and monitoring Level A and Level B zones with protected species observers (PSOs), (2) establishing a 100-m shutdown zone and implementing shutdown measures when an animal is detected to approaching the shutdown zone, and (3) limiting pile driving activities to daylight hours only.

Information Solicited

Interested persons may submit information, suggestions, and comments concerning the AGDC's request (see **ADDRESSES**). NMFS will consider all information, suggestions, and comments related to the AGDC's request and NMFS' potential development and implementation of regulations governing the incidental taking of marine mammals by the AGDC's LNG facility construction in Cook Inlet.

Dated: April 6, 2018.

Donna S. Wieting,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 2018-07465 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG156

Mid-Atlantic Fishery Management Council (MAFMC); Public Meetings

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

ACTION: Notice of a public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold a public workshop to provide a forum for fishermen, managers, and scientists from the United States and European Union to interact and discuss possible solutions to the complex problems associated with the small-mesh pelagic fisheries in their respective regions.

DATES: The meeting will be held Tuesday, May 1, 2018 through Thursday, May 3, 2018. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meeting will be held at: the Beauport Hotel Gloucester, 55 Commercial Street, Gloucester, MA 01930, telephone: (844) 282-0008.

Council address: Mid-Atlantic Fishery Management Council, 800 N State St.,

Suite 201, Dover, DE 19901; telephone: (302) 674-2331.

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D. Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 526-5255.

SUPPLEMENTARY INFORMATION: The workshop will involve a combination of presentations, group discussions, and field trips designed to give participants first-hand knowledge of local fishery operations and issues. A detailed agenda and additional information are available on the Council's website at <http://www.mafmc.org/workshop/us-eu-pelagics-workshop>.

Special Accommodations

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: April 6, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018-07473 Filed 4-10-18; 8:45 am]

BILLING CODE 3510-22-P

COMMODITY FUTURES TRADING COMMISSION

Agency Information Collection Activities Under OMB Review

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA), this notice announces that the Information Collection Request ("ICR") abstracted below has been forwarded to the Office of Management and Budget ("OMB") for review and comment. The ICR describes the nature of the information collections and its expected costs and burden.

DATES: Comments must be submitted on or before May 11, 2018.

ADDRESSES: Comments regarding the burden estimate or any other aspect of the information collections, including suggestions for reducing the burden, may be submitted directly to the Office of Information and Regulatory Affairs ("OIA") in OMB within 30 days of this notice's publication by either of the following methods. Please identify the comments by "OMB Control Nos. 3038-0052 or 3038-0074."

• *By email addressed to:* OIRASubmissions@omb.eop.gov or

• *By mail addressed to:* The Office of Information and Regulatory Affairs, Office of Management and Budget, Attention Desk Officer for the Commodity Futures Trading Commission, 725 17th Street NW, Washington, DC 20503.

A copy of all comments submitted to OIRA should be sent to the Commodity Futures Trading Commission (“CFTC” or “Commission”) by either of the following methods. The copies should refer to “OMB Control Nos. 3038–0052 or 3038–0074.”

• *By mail addressed to:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581;

• By Hand Delivery/Courier to the same address; or

• Through the Commission’s website at <http://comments.cftc.gov>. Please follow the instructions for submitting comments through the website.

Please submit your comments using only one method. A copy of the supporting statements for the collection of information discussed herein may be obtained by visiting <http://RegInfo.gov>.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <http://www.cftc.gov>. You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s regulations.¹

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <http://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the ICR will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

FOR FURTHER INFORMATION CONTACT: David Steinberg, Associate Director, Division of Market Oversight, Commodity Futures Trading Commission, 202–418–5102 or

dsteinberg@cftc.gov, and refer to OMB Control Nos. 3038–0052 or 3038–0074.

SUPPLEMENTARY INFORMATION:

Title: Core Principles and Other Requirements for Designated Contract Markets (OMB Control No. 3038–0052), and Core Principles and Other Requirements for Swap Execution Facilities (OMB Control No. 3038–0074). This is a request for an extension of currently approved information collections.

Abstract: The regulations governing designated contract markets (“DCMs”) were adopted pursuant to the requirements of the Commodity Futures Modernization Act of 2000 (“CFMA”).² Part 38 of the Commission’s regulations governs the activities of DCMs. The information collected pursuant to part 38 is necessary for the Commission to evaluate whether entities operating as, or applying to become DCMs, comply with the part 38 requirements including 23 core principles. Collection 3038–0052 was created in response to the part 38 regulatory requirements for DCMs.

In June 2012, the Commission implemented core principles and other requirements for DCMs (“DCM Final Rules”).³ The Commission stated in the DCM Final Rules that 18 DCMs were registered with the Commission.⁴ However, since publication of the DCM Final Rules, the number of DCMs registered with the Commission has decreased from 18 to 15. Accordingly, the Commission is revising the below burden statement for OMB Control No 3038–0052 to account for the decrease in the number of registered DCMs.

Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”) added new section 5h to the Commodity Exchange Act (“CEA”) to impose requirements concerning the registration and operation of swap execution facilities (“SEFs”), which the Commission has incorporated in part 37 of its regulations. These information collections are needed for the Commission to ensure that SEFs comply with these requirements. Among other requirements, part 37 of the Commission’s regulations imposes SEF registration requirements for a trading platform or system, obligates SEFs to provide transaction confirmations to swap counterparties, and requires SEFs to comply with 15 core principles. Collection 3038–0074 was created in response to the part 37 regulatory requirements for SEFs.

² 7 U.S.C. 1 *et seq.*

³ 77 FR 36612 (June 19, 2012).

⁴ *Id.* at 36663.

In September 2016, the Commission published a 30-Day Notice of Intent to Renew Collection 3038–0074 (30-Day Renewal Notice) and stated that 23 SEFs were registered with the Commission.⁵ However, since publication of the 30-day Renewal Notice, the Commission has granted permanent registration to two additional SEFs, for a total of 25 registered SEFs. Therefore, the Commission is revising the below burden statement for OMB Control No. 3038–0074 to account for the increase in the number of registered SEFs.

In January 2018, the Commission adopted regulation 9.11(b)(3)(ii) requiring a DCM or SEF (collectively, “exchange”) to include two additional elements in the disciplinary or access denial notice action provided to the National Futures Association.⁶ First, an exchange must include the type of product (as applicable) involved in the adverse action.⁷ Requiring an exchange to provide this information in the disciplinary or access denial notice will provide the Commission, market participants, the public, and other exchanges with greater transparency concerning where market abuses originate and whether the abuses are concentrated among certain product types. Second, an exchange must indicate in its notice of disciplinary or access denial actions whether the violation underlying the notice resulted in financial harm to any customers. This requirement codifies the clarification contained in an advisory previously issued by the Commission (“Part 9 Advisory”).⁸ The Commission believes that the inclusion of customer harm is essential because it cannot effectively perform its regulatory and oversight functions without knowledge of those instances in which brokers violate their fiduciary duty to customers by taking advantage of customer orders and engaging in fraudulent activity. The collections of information are mandatory.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the CFTC’s regulations were published on December 30, 1981. *See* 46 FR 63035 (Dec. 30, 1981).

⁵ 81 FR 65630 (Sept. 23, 2016).

⁶ 83 FR 1538 (Jan. 12, 2018).

⁷ For example, a product trading on a DCM might be specified as a July 2016 Eurodollar future; while a product trading on a SEF may be a CDX North American High Yield Series 26 5 year.

⁸ The Part 9 Advisory permitted an exchange to file disciplinary or access denial notices with the Commission or the National Futures Association. 64 FR 39915 (July 23, 1999).

¹ 17 CFR 145.9.

The **Federal Register** notice with a 60-day comment period soliciting comments on this collection of information was published on January 12, 2018 (83 FR 1609). The Commission did not receive any comments addressing the 60-day Notice.

Burden Statement: The Commission believes that the additional burden for an exchange to add the two additional elements in the contents of the disciplinary or access denial notice is de minimis.⁹ Accordingly, the Commission is maintaining its current estimate of the burden for both collections as result of these reporting requirements. However, the Commission is amending its estimates for the collections to account for the change in the number of DCMs and SEFs currently registered with the Commission. The current respondent burden for these collections are estimated to be as follows:

- OMB Control No. 3038–0052 (Core Principles and Other Requirements for Designated Contract Markets)
Number of Respondents: 15.
Estimated Annual Burden Hours per Respondent: 490.5.
Estimated Total Annual Burden Hours on Respondents: 7,357.5.
Frequency of Collection: As applicable.
- OMB Control No. 3038–0074 (Core Principles and Other Requirements for Swap Execution Facilities)
Number of Respondents: 25.
Estimated Annual Burden Hours per Respondent: 1,000.
Estimated Total Annual Burden Hours on Respondents: 25,000.¹⁰
Frequency of Collection: As applicable.

The regulations require no new startup or operations and maintenance costs.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: April 5, 2018.

Robert N. Sidman,

Deputy Secretary of the Commission.

[FR Doc. 2018–07365 Filed 4–10–18; 8:45 am]

BILLING CODE 6351–01–P

⁹ The Commission stated in the Notice of Proposed Rulemaking that the burden associated with Commission regulation 9.11(b)(3)(ii) requiring an exchange to specify the product involved in the disciplinary or access denial action would be de minimis. 82 FR 7745 (Jan. 23, 2017). The Commission did not receive any comments regarding this determination. The Commission estimates that it will take an exchange just a few seconds to add the product involved in the adverse action and whether the violation underlying the notice resulted in financial harm to any customers.

¹⁰ The Commission notes that collection 3038–0074 includes an additional 1,200 burden hours for SEF registration applicants that have not been affected by this amendment. Therefore, the total burden for this collection is 26,200 hours.

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Government-Owned Inventions; Available for Licensing

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Department of the Navy (DoN) announces the availability of the inventions listed below, assigned to the United States Government, as represented by the Secretary of the Navy, for domestic and foreign licensing by the Department of the Navy.

ADDRESSES: Requests for copies of the patents cited should be directed to Naval Surface Warfare Center, Crane Div, Code OOL, Bldg 2, 300 Highway 361, Crane, IN 47522–5001.

FOR FURTHER INFORMATION CONTACT: Mr. Christopher Monsey, Naval Surface Warfare Center, Crane Div, Code OOL, Bldg 2, 300 Highway 361, Crane, IN 47522–5001, Email Christopher.Monsey@navy.mil.

SUPPLEMENTARY INFORMATION: The following patent is available for licensing: Patent No. 9,927,482 (Navy Case No. 200248): ELECTROSTATIC PROTECTION TESTING, MONITORING, AND HUMAN-MACHINE VISUAL INTERFACE SYSTEM AND METHODS OF USE.

Authority: 35 U.S.C. 207, 37 CFR part 404.

Dated: April 5, 2018.

E.K. Baldini,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2018–07436 Filed 4–10–18; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Government-Owned Inventions; Available for Licensing

AGENCY: Department of the Navy, DoD.

ACTION: Notice.

SUMMARY: The Department of the Navy (DoN) announces the availability of the inventions listed below, assigned to the United States Government, as represented by the Secretary of the Navy, for domestic and foreign licensing by the Department of the Navy.

ADDRESSES: Requests for copies of the patent applications cited should be directed to Naval Surface Warfare Center, Crane Div, Code OOL, Bldg 2,

300 Highway 361, Crane, IN 47522–5001.

FOR FURTHER INFORMATION CONTACT: Mr.

Christopher Monsey, Naval Surface Warfare Center, Crane Div, Code OOL, Bldg 2, 300 Highway 361, Crane, IN 47522–5001, Email

Christopher.Monsey@navy.mil, 812–854–2777.

SUPPLEMENTARY INFORMATION: The following patent application is available for licensing: Patent Application No. 62/632,550 (Navy Case No. 200456): HYPER-COMPACT ELECTRIC ALL-TERRAIN VEHICLE DRIVETRAIN AND CONVERSION KIT.

Authority: 35 U.S.C. 207, 37 CFR part 404.

Dated: April 5, 2018.

E.K. Baldini,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 2018–07453 Filed 4–10–18; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP18–10–000]

Notice of Schedule for Environmental Review of the Enbridge—Texas Eastern Transmission, L.P. Tx—La Markets Project

On October 19, 2017, Enbridge—Texas Eastern Transmission, L.P. (Texas Eastern) filed an application in Docket No. CP18–10–000 requesting a Certificate of Public Convenience and Necessity pursuant to section 7(c) of the Natural Gas Act to construct and operate certain natural gas facilities. The proposed project is known as the TX—LA Markets Project (Project), and would involve modifications to Texas Eastern's existing Gillis Compressor Station in Beauregard Parish, Louisiana.

On October 31, 2017, the Federal Energy Regulatory Commission (Commission or FERC) issued its Notice of Application for the Project. Among other things, that notice alerted agencies issuing federal authorizations of the requirement to complete all necessary reviews and to reach a final decision on a request for a federal authorization within 90 days of the date of issuance of the Commission staff's Environmental Assessment (EA) for the Project. This instant notice identifies the FERC staff's planned schedule for the completion of the EA for the Project.

Schedule for Environmental Review

Issuance of EA May 31, 2018

90-day Federal Authorization Decision
Deadline August 29, 2018

If a schedule change becomes necessary, additional notice will be provided so that the relevant agencies are kept informed of the Project's progress.

Project Description

The proposed modifications to the Gillis Compressor Station in Beauregard Parish, Louisiana would consist of the installation of two gas cooling bays and installation of two new impellers for the existing compressor units.

Background

On December 6, 2017, the Commission issued a *Notice of Intent to Prepare an Environmental Assessment for the Proposed TX—LA Markets Project and Request for Comments on Environmental Issues* (NOI). The NOI was sent to affected landowners; federal, state, and local government agencies; elected officials; environmental and public interest groups; Native American tribes; other interested parties; and local libraries and newspapers. No comments were received in response to the NOI.

Additional Information

In order to receive notification of the issuance of the EA and to keep track of all formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to www.ferc.gov/docs-filing/esubscription.asp.

Additional information about the Project is available from the Commission's Office of External Affairs at (866) 208-FERC or on the FERC website (www.ferc.gov). Using the "eLibrary" link, select "General Search" from the eLibrary menu, enter the selected date range and "Docket Number" excluding the last three digits (*i.e.*, CP18-10), and follow the instructions. For assistance with access to eLibrary, the helpline can be reached at (866) 208-3676, TTY (202) 502-8659, or at FERCOnlineSupport@ferc.gov. The eLibrary link on the FERC website also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rule makings.

Dated: April 5, 2018.

Kimberly D. Bose,
Secretary.

[FR Doc. 2018-07491 Filed 4-10-18; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL18-133-000]

Notice of Institution of Section 206 Proceeding and Refund Effective Date; Illinois Power Resources Generating, LLC

On April 5, 2018, the Commission issued an order in Docket No. EL18-133-000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into whether Illinois Power Resources Generating, LLC's rates for Reactive Service may be unjust and unreasonable. *Illinois Power Resources Generating, LLC*, 163 FERC ¶ 61, 015 (2018).

The refund effective date in Docket No. EL18-133-000, 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. EL18-133-000 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: April 5, 2018.

Kimberly D. Bose,
Secretary.

[FR Doc. 2018-07492 Filed 4-10-18; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AC18-57-000]

Notice of Petition for Waiver; Black Hills Shoshone Pipeline, LLC

Take notice that on March 13, 2018, Black Hills Shoshone Pipeline, LLC filed a petition for a new two-year waiver of the requirement that an independent certified public accountant attest to the conformity of the content set out in Black Hills Shoshone's FERC Form No. 2-A, reflecting activity for 2017.¹

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and

¹ 18 CFR 158.11.

Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comments: 5:00 p.m. Eastern Time on May 7, 2018.

Dated: April 5, 2018.

Kimberly D. Bose,
Secretary.

[FR Doc. 2018-07490 Filed 4-10-18; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2008-0707; FRL-9976-27-OAR]

Proposed Information Collection Request; Comment Request; Data Reporting Requirements for State and Local Vehicle Emission Inspection and Maintenance (I/M) Programs

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency is planning to submit an information collection request (ICR), "Data Reporting Requirements for State and Local Vehicle Emission Inspection and Maintenance (I/M) Programs" (EPA ICR No.1613.06, OMB Control No.

2060-0252) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through October 31, 2018. 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: Comments must be submitted on or before June 11, 2018.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA-HQ-OAR-2008-0707, 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.

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: Dave Sosnowski, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, 2000 Traverwood, Ann Arbor, Michigan 48105; telephone number: 734-214-4823; fax number: 734-214-4052; email address: sosnowski.dave@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>.

Pursuant to section 3506(c)(2)(A) of the Paperwork Reduction Act (PRA), EPA is soliciting comments and information to enable it to: (i) 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; (ii) 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; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: Clean Air Act section 182 and EPA's regulations (40 CFR part 51, subpart S) establish the requirements for state and local inspection and maintenance (I/M) programs that are included in state implementation plans (SIPs). To provide general oversight and support to these programs, EPA requires that state agencies with basic and enhanced I/M programs collect two varieties of reports for submission to the Agency:

- An annual report providing general program operating data and summary statistics, addressing the program's current design and coverage, a summary of testing data, enforcement program efforts, quality assurance and quality control efforts, and other miscellaneous information allowing for an assessment of the program's relative effectiveness; and
- A biennial report on any changes to the program over the two-year period and the impact of such changes, including any deficiencies discovered and corrections made or planned.

General program effectiveness is determined by the degree to which a program misses, meets, or exceeds the emission reductions committed to in the state's approved SIP, which, in turn, must meet or exceed the minimum emission reductions expected from the relevant performance standard, as promulgated under 40 CFR part 51, subpart S, in response to requirements established in section 182 of the Clean Air Act. This information is used by EPA to determine a program's progress toward meeting requirements under 40 CFR part 51, subpart S, and to provide background information in support of program evaluations. Additional information regarding the current renewal of this ICR as well as previous renewals can be found in Docket ID No. EPA-HQ-OAR-2008-0707.

The following statistics and responses apply to the ICR proposed for renewal.

Form numbers: None.

Respondents/affected entities: State I/M program managers.

Respondent's obligation to respond: Mandatory (40 CFR 51.366).

Estimated number of respondents: 28 (total).

Frequency of response: Annual and biennial.

Total estimated burden: 2,408 hours (per year). Burden is defined at 5 CFR 1320.03(b).

Total estimated cost: \$152,544 (per year), includes \$0 annualized capital or operation and maintenance costs.

Changes in estimates: There is no change in the total estimated respondent burden compared with the ICR currently approved by OMB.

Dated: March 23, 2018.

Karl Simon,

Director, Transportation and Climate Division, Office of Transportation and Air Quality, Office of Air and Radiation.

[FR Doc. 2018-07511 Filed 4-10-18; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPPT-2018-0175; FRL-9976-32]

Safer Choice Partner & Stakeholder Summit 2018; Notice of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The EPA Safer Choice program will hold its third Safer Choice Partner & Stakeholder Summit. Safer Choice partners with manufacturers to label cleaning and other products so consumers and commercial buyers can easily find products with chemical ingredients that are safer for people and the environment. The Summit provides an opportunity for partners, purchasers, retailers, NGOs, trade associations, chemical manufacturers, and other interested stakeholders to collaborate on exploring issues and developing solutions that can advance Safer Choice. The meeting will include informational and breakout sessions, with a focus on dialogue and active participation.

DATES: The Safer Choice Partner & Stakeholder Summit 2018 will be held on May 14, 2018, from 8:00 a.m. to 5:00 p.m. EDT.

To request accommodation of a disability, please contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**, preferably at least 10 days prior to the meeting, to give

EPA as much time as possible to process your request.

ADDRESSES: The meeting will be held at the Gaylord National Resort & Convention Center, 201 Waterfront Street, Oxon Hill, MD 20745.

FOR FURTHER INFORMATION CONTACT:

Tony Thompson, Chemistry, Economics and Sustainable Strategies Division (7406M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–2296; email address: thompson.tony@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are a Safer Choice program partner or stakeholder. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

NAICS Code Affected Industry

- 325510 Paint and Coating Manufacturing.
- 325611 Soap and Other Detergent Manufacturing.
- 325612 Polish and Other Sanitation Good Manufacturing.
- 325910 Printing Ink Manufacturing.
- 325992 Photographic Film, Paper, Plate, and Chemical Manufacturing.
- 325998 All Other Miscellaneous Chemical Product and Preparation.

Manufacturing

- 561210 Facilities Support Services.
- 561720 Janitorial Services.
- 561740 Carpet and Upholstery Cleaning Services.
- 611310 Colleges, Universities, and Professional Schools.
- 8123 Dry Cleaning and Laundry Services.
- 921190 Other General Government Support.

II. Background

EPA's mission is to protect the health of people and the environment. To further that mission, EPA certifies cleaning and other products so consumer and commercial buyers can easily find ones made with chemical ingredients that are safer for people and the environment. The Summit provides an opportunity to explore topics of importance to stakeholders and the program and a forum for dialogue on ways to continue to improve the program, advance safer chemistry, and increase awareness of the Safer Choice label.

III. How can I request to participate in this meeting?

Registration—To attend the Summit, you may register online here: <https://www.eventbrite.com/e/us-epa-safer-choice-partner-stakeholder-summit-2018-registration-43987871909?aff>.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: April 5, 2018.

Charlotte Bertrand,

Acting Principal Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2018–07517 Filed 4–10–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–SFUND–2013–0549; FRL–9976–63–OLEM]

Agency Information Collection Activities; Proposed Collection; Comment Request; Notification of Episodic Releases of Oil and Hazardous Substances (Renewal); EPA ICR No. 1049.14

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency is planning to submit an information collection request (ICR), (EPA ICR No. 1049.14, OMB Control No. 2050–0046) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through September 30, 2018. 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: Comments must be submitted on or before June 11, 2018.

ADDRESSES: Submit your comments, referencing Docket ID No. EPA–HQ–SFUND–2013–0549, online using www.regulations.gov (our preferred method), by email to superfund.docket@epa.gov or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

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: Sicy Jacob, Office of Emergency Management, (5104A), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 564–8019; email address: Jacob.Sicy@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>.

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) 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; (ii) 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; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and approval. At that time, EPA will issue another **Federal Register** notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB.

Abstract: Section 103(a) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, requires the person in charge of a facility or vessel to immediately notify the National Response Center (NRC) of a hazardous substance release into the environment if the amount of the release equals or exceeds the substance's reportable

quantity (RQ) limit. The RQs for the hazardous substance can be found in Table 302.4 of 40 CFR 302.4.

Section 311 of the Clean Water Act (CWA), as amended, requires the person in charge of a vessel to immediately notify the NRC of an oil spill into U.S. navigable waters if the spill causes a sheen, violates applicable water quality standards, or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

The reporting of a hazardous substance release that is at or above the substance's RQ allows the Federal government to determine whether a Federal response action is required to control or mitigate any potential adverse effects to public health or welfare or the environment. Likewise, the reporting of oil spills allows the Federal government to determine whether cleaning up the oil spill is necessary to mitigate or prevent damage to public health or welfare or the environment. The hazardous substance and oil release information collected under CERCLA section 103(a) and CWA section 311 also is available to EPA program offices and other Federal agencies that use the information to evaluate the potential need for additional regulations, new permitting requirements for specific substances or sources, or improved emergency response planning. Release notification information, which is stored in the national Emergency Response Notification System (ERNS) data base, is available to state and local government authorities as well as the general public. State and local government authorities and the regulated community use release information for purposes of local emergency response planning. Members of the general public, who have access to release information through the Freedom of Information Act, may request release information for purposes of maintaining an awareness of what types of releases are occurring in different localities and what actions, if any, are being taken to protect public health and welfare and the environment. ERNS fact sheets, which provide summary and statistical information about hazardous substance and oil release notifications, also are available 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. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9.

Form numbers: None.

Respondents/affected entities: Facilities and vessels that may have

releases of any hazardous substance or oil at or above its RQ.

Respondent's obligation to respond: Mandatory under CERCLA section 103(a).

Estimated number of respondents: 18,447

Frequency of response: As releases occur from a facility or a vessel.

Total estimated burden: Hours (per year). 75,633 hours per year.

Estimated total annual costs: \$3,951,938. This cost includes an estimated labor cost of \$3,951,938 and an estimated cost of \$0 for capital investment or maintenance and operational costs.

Changes in estimates: There is a decrease of 22,209 hours per year in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This decrease reflects EPA's expected decrease in the projected number of release notifications per year.

Dated: April 4, 2018.

Reggie Cheatham,

Director, Office of Emergency Management.

[FR Doc. 2018-07515 Filed 4-10-18; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92-237; DA 18-321]

April and May Meetings of the North American Numbering Council

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission released a public notice announcing the April and May meetings of the North American Numbering Council (NANC). At the April meeting, which will be conducted by conference call, the NANC will consider a recommendation from its Call Authentication Trust Anchor Issues Working Group. At the May meeting, the NANC will consider recommendations from the Toll Free Numbering Modernization Issues Working Group and the Nationwide Number Portability Issues Working Group. In addition, the NANC will continue its discussions on how to modernize and foster more efficient number administration in the United States. The NANC meetings are open to the public. The FCC will accommodate as many attendees as possible; however, admittance will be limited to seating availability. The Commission will also provide audio coverage of the meeting.

Other reasonable accommodations for people with disabilities are available upon request. Request for such accommodations should be submitted via email to fcc504@fcc.gov or by calling the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) (202) 418-0432 (TTY). Such requests should include a detailed description of the accommodation needed. In addition, please allow at least five days advance notice for accommodation requests; last minute requests will be accepted but may not be possible to accommodate.

Members of the public may submit comments to the NANC in the FCC's Electronic Comment Filing System, ECFS, at www.fcc.gov/ecfs. Comments to the NANC should be filed in cc Docket No. 92-237.

More information about the NANC is available at <https://www.fcc.gov/about-fcc/advisory-committees/general/north-american-numbering-council>. You may also contact Marilyn Jones, DFO of the NANC, at Marilyn.jones@fcc.gov, or (202) 418-2357, Michelle Sclater, Alternate DFO, at michelle.sclater@fcc.gov, or (202) 418-0388; or Carmell Weathers, special assistant to the DFO, at carmell.weathers@fcc.gov, or (202) 418-2325.

DATES: Friday, April 27, 2018, 9:30 a.m. and May 23, 2018, 9:30 a.m.

ADDRESSES: Requests to make an oral statement or provide written comments to the NANC should be sent to Carmell Weathers, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, Portals II, 445 12th Street SW, Room 5-C162, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Carmell Weathers at (202) 418-2325 or Carmell.Weathers@fcc.gov. The fax number is: (202) 418-1413. The TTY number is: (202) 418-0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document in CC Docket No. 92-237, DA 18-327 released March 30, 2018. The complete text in this document is available for public inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW, Room CY-A257, Washington, DC 20554. The document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW, Room CY-B402, Washington, DC 20554, telephone (800) 378-3160 or (202) 863-2893, facsimile (202) 863-2898, or via the internet at <http://www.bcpweb.com>. It is available on the Commission's website at <http://www.fcc.gov>.

*The Agenda may be modified at the discretion of the NANC Chairman with the approval of the Designated Federal Officer (DFO).

Federal Communications Commission.

Marilyn Jones,

Senior Counsel for Number Administration,
Wireline Competition Bureau.

[FR Doc. 2018-07386 Filed 4-10-18; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0645]

Information Collection Being Submitted for Review and Approval to the Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection.

Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before May 11, 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 contacts listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via email Nicholas_A_Fraser@omb.eop.gov; and to Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418-2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of this ICR and then click on the ICR Reference Number. A copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060-0645.

Title: Sections 17.4, 17.48 and 17.49, Antenna Structure Registration Requirements.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities, not-for-profit institutions and state, local or tribal government.

Number of Respondents: 16,000 respondents; 154,162 responses.

Estimated Time per Response: .1-.25 hours.

Frequency of Response: On occasion reporting requirement, recordkeeping requirement and third-party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in Sections 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303.

Total Annual Burden: 18,109 hours.

Total Annual Cost: \$51,900.

Privacy Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality. However, respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR 0.459 of the Commission's rules.

Needs and Uses: The Commission is seeking Office of Management and Budget (OMB) approval for a revision of this information collection in order to obtain the full three-year approval. The Commission has adjusted its burden and cost estimates in order to update the collection burdens necessary to implement a uniform registration process as well as safe and effective lighting procedures for owners of antenna structures.

Section 17.4 includes third party disclosure requirements. Specifically, Section 17.4 requires the owner of any proposed or existing antenna structure that requires notice of proposed construction to the Federal Aviation Administration (FAA) to register the structure with the Commission. This includes those structures used as part of the stations licensed by the Commission for the transmission of radio energy, or to be used as part of a cable television head-end system. If a Federal Government antenna structure is to be used by a Commission licensee, the structure must be registered with the Commission. Section 17.4(f) provides that antenna structure owners shall immediately provide to all tenant licensees and permittees notification that the structure has been registered. This may be done by providing either a copy of Form 854R or a link to the FCC antenna structure registration website. This notification may be done electronically or via paper mail.

Section 17.4(g) requires antenna structure owners to display the Antenna Structure Registration Number in a conspicuous place that is readily visible near the base of the antenna. This rule specifically requires that the Antenna Structure Number be displayed so that it is conspicuously visible and legible from the publicly accessible area nearest the base of the antenna structure along the publicly accessible roadway or path. Where an antenna structure is surrounded by a perimeter fence, or where the point of access includes an access gate, the Antenna Structure Registration Number should be posted on the perimeter fence or access gate. Where multiple antenna structures having separate Antenna Structure Registration Numbers are located within a single fenced area, the Antenna Structure Registration Numbers must be posted both on the perimeter fence or access gate and near the base of each antenna structure. If the base of the antenna structure has more than one point of access, the rule requires that the Antenna Structure Registration Number be posted so that it is visible at the publicly accessible area nearest each such point of access. The registration number is issued to identify antenna structure owners in order to enforce the Congressionally-mandated provisions related to the owners.

Sections 17.48 and 17.49 contain reporting and recordkeeping requirements. Section 17.48(a) requires that antenna structure owners immediately report outages of top steady burning lights or flashing antenna structure lights to the FAA, if not corrected within 30 minutes. Upon receipt of the outage notification, the FAA will issue a Notice to Airmen (NOTAM), which notifies aircraft of the outage. Consistent with FAA requirements, if a lighting outage cannot be repaired within the FAA's original NOTAM period, Section 17.48(a) further requires the antenna structure owner to notify the FAA of that fact and provide any needed updates to its estimated return-to-service date. The rule also requires antenna structure owners to continue to provide these updates to the FAA every NOTAM period until its lights are repaired.

Section 17.49 requires antenna structure owners to maintain a record of observed or otherwise known extinguishments or improper functioning of structure lights for two years and provide the records to the Commission upon request.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2018-07367 Filed 4-10-18; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-0854]

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 of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before June 11, 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 Cathy Williams, FCC, via email to PRA@fcc.gov and to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0854.

Title: Section 64.2401, Truth-in-Billing Format, CC Docket No. 98-170 and CG Docket No. 04-208.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 4,165 respondents; 33,819 responses.

Estimated Time per Response: 2 to 230 hours.

Frequency of Response: On occasion reporting requirement; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this information collection is found at section 201(b) of the Communications Act of 1934, as amended, 47 U.S.C. 201(b), and section 258, 47 U.S.C. 258, Public Law 104-104, 110 Stat. 56. The Commission's implementing rules are codified at 47 CFR 64.2400.

Total Annual Burden: 1,950,433 hours.

Total Annual Cost: \$15,918,200.

Nature and Extent of Confidentiality: An assurance of confidentiality is not offered because this information collection does not require the collection of personally identifiable information from individuals.

Privacy Impact Assessment: No impact(s).

Needs and Uses: In 1999, the Commission released the Truth-in-Billing and Billing Format, CC Docket No. 98-170, First Report and Order and Further Notice of Proposed Rulemaking, (1999 TIB Order); published at 64 FR 34488, June 25, 1999, which adopted principles and guidelines designed to reduce telecommunications fraud, such as slamming and cramming, by making bills easier for consumers to read and understand, and thereby, making such fraud easier to detect and report. In 2000, Truth-in-Billing and Billing Format, CC Docket No. 98-170, Order on Reconsideration, (2000 Reconsideration Order); published at 65 FR 43251, July 13, 2000, the Commission, granted in part petitions for reconsideration of the requirements that bills highlight new service providers and prominently display inquiry contact numbers. On March 18, 2005, the Commission released Truth-in-Billing and Billing Format; National

Association of State Utility Consumer Advocates' Petition for Declaratory Ruling Regarding Truth-in-Billing, Second Report and Order, Declaratory Ruling, and Second Further Notice of Proposed Rulemaking, CC Docket No. 98-170, CG Docket No. 04-208, (2005 Second Report and Order and Second Further Notice); published at 70 FR 29979 and 70 FR 30044, May 25, 2005, which determined, inter alia, that Commercial Mobile Radio Service providers no longer should be exempted from 47 CFR 64.2401(b), which requires billing descriptions to be brief, clear, non-misleading and in plain language. The 2005 Second Further Notice proposed and sought comment on measures to enhance the ability of consumers to make informed choices among competitive telecommunications service providers.

On April 27, 2012, the Commission released the Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges ("Cramming"), Report and Order and Further Notice of Proposed Rulemaking, CG Docket No. 11-116, CG Docket No. 09-158, CC Docket No. 98-170, FCC 12-42 (Cramming Report and Order and Further Notice of Proposed Rulemaking); published at 77 FR 30972, May 24, 2012, which determined that additional rules are needed to help consumers prevent and detect the placement of unauthorized charges on their telephone bills, an unlawful and fraudulent practice commonly referred to as "cramming."

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2018-07368 Filed 4-10-18; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060-1150]

Information Collection Being Submitted for Review and Approval to the Office of Management and Budget

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to

take this opportunity to comment on the following information collection.

Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The Commission may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written comments should be submitted on or before May 11, 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 contacts listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Nicholas A. Fraser, OMB, via email Nicholas_A.Fraser@omb.eop.gov; and to Cathy Williams, FCC, via email PRA@fcc.gov and to Cathy.Williams@fcc.gov. Include in the comments the OMB control number as shown in the **SUPPLEMENTARY INFORMATION** below.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection, contact Cathy Williams at (202) 418-2918. To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the OMB control number of this ICR and then click on the ICR Reference Number. A

copy of the FCC submission to OMB will be displayed.

SUPPLEMENTARY INFORMATION: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060-1150.

Title: Telecommunications Relay Services Certification Applications and Video Relay Service Compliance Requirements, CG Docket Nos. 03-123 and 10-51.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; State, Local or Tribal Government.

Number of Respondents and Responses: 72 respondents; 412 responses.

Estimated Time per Response: 0.5 hours (30 minutes) to 25 hours.

Frequency of Response: Annual, one-time and on occasion reporting requirements; Third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for the information collection is found at section 225 of the Act, 47 U.S.C. 225. The law was enacted on July 26, 1990, as Title IV of the ADA, Public Law 101-336, 104 Stat. 327, 366-69.

Total Annual Burden: 1,179 hours.

Total Annual Cost: \$24,000.

Nature and Extent of Confidentiality: An assurance of confidentiality is not offered because this information collection does not require the collection of personally identifiable information (PII) from individuals.

Privacy Impact Assessment: No impact(s).

Needs and Uses: In 1991, the Commission adopted rules governing the telecommunications relay services (TRS) program and procedures for each state TRS program to apply for initial Commission certification and renewal of Commission certification of each state program. Telecommunications Services for Individuals with Hearing and Speech Disabilities, and the Americans with Disabilities Act of 1990, Report and Order and Request for Comments, document FCC 91–213, published at 56 FR 36729, August 1, 1991 (1991 TRS Implementation Order).

On July 28, 2011, the Commission released Structure and Practices of the Video Relay Service Program, document FCC 11–118, published at 76 FR 47469, August 5, 2011, and at 76 FR 47476, August 5, 2011 (VRS Certification Order), adopting final and interim rules—designed to help prevent fraud and abuse, and ensure quality service, in the provision of internet-based forms of Telecommunications Relay Services (iTRS). The VRS Certification Order amended the Commission's process for certifying internet-based TRS (iTRS) providers as eligible for payment from the Interstate TRS Fund (Fund) for their provision of iTRS to ensure that iTRS providers receiving certification are qualified to provide iTRS in compliance with the Commission's rules and to eliminate waste, fraud and abuse through improved oversight of such providers.

On October 17, 2011, the Commission released Structure and Practices of the Video Relay Service Program, Memorandum Opinion and Order, Order, and Further Notice of Proposed Rulemaking, document FCC 11–155, published at 76 FR 67070, October 31, 2011 (VRS Certification Reconsideration Order), modifying two aspects of information collection requirements contained in the VRS Certification Order.

The VRS Certification Order as modified by the VRS Certification Reconsideration contains information collection requirements with respect to the following eight requirements, all of which are intended to ensure that providers are qualified to provide iTRS in compliance with the Commission's rules with no or minimal service interruption.

(A) Required Evidence for Submission for Eligibility Certification. Each potential iTRS provider must submit full and detailed information in its application for certification that shows its ability to comply with the Commission's rules. Each applicant must provide a detailed description of how it will meet all non-waived

mandatory minimum standards applicable to each form of TRS offered, including documentary and other evidence.

In the case of VRS, such documentary and other evidence shall also demonstrate that the applicant leases, licenses or has acquired its own facilities and operates such facilities associated with TRS call centers and employs communications assistants, on a full or part-time basis, to staff such call centers at the date of the application. Such evidence shall include but not be limited to:

1. For VRS applicants operating five or fewer call centers within the United States, a copy of each deed or lease for each call center;

2. For VRS applicants operating more than five call centers within the United States, a copy of each deed or lease for a representative sampling of five call centers;

3. For VRS applicants operating call centers outside of the United States, a copy of each deed or lease for each call center;

4. For all applicants, a list of individuals or entities that hold at least a 10 percent equity interest in the applicant, have the power to vote 10 percent or more of the securities of the applicant, or exercise de jure or de facto control over the applicant, a description of the applicant's organizational structure, and the names of its executives, officers, members of its board of directors, general partners (in the case of a partnership), and managing members (in the case of a limited liability company);

5. For all applicants, a list of the number of applicant's full-time and part-time employees involved in TRS operations, including and divided by the following positions: Executives and officers; video phone installers (in the case of VRS), communications assistants, and persons involved in marketing and sponsorship activities;

6. Where applicable, a description of the call center infrastructure, and for all core call center functions (automatic call distribution, routing, call setup, mapping, call features, billing for compensation from the TRS fund, and registration) a statement whether such equipment is owned, leased or licensed (and from whom if leased or licensed) and proofs of purchase, leases or license agreements, including a complete copy of any lease or license agreement for automatic call distribution;

7. For all applicants, copies of employment agreements for all of the provider's employees directly involved in TRS operations, executives and communications assistants, and a list of

names of employees directly involved in TRS operations need not be submitted with the application, but must be retained by the applicant and submitted to the Commission upon request; and

8. For all applicants, a list of all sponsorship arrangements relating to internet-based TRS, including a description of any associated written agreements; copies of all such arrangements and agreements must be retained by the applicant for three years from the date of the application, and submitted to the Commission upon request.

(B) Submission of Annual Report. Providers submit annual reports that include updates to the information listed under Section A above or certify that there are no changes to the information listed under Section A above.

(C) Requiring Providers to Seek Prior Authorization of Voluntary Interruption of Service. A VRS provider seeking to voluntarily interrupt service for a period of 30 minutes or more in duration must first obtain Commission authorization by submitting a written request to the Commission's Consumer and Governmental Affairs Bureau (CGB) at least 60 days prior to any planned service interruption, with detailed information of:

(i) Its justification for such interruption;

(ii) Its plan to notify customers about the impending interruption; and

(iii) Its plans for resuming service, so as to minimize the impact of such disruption on consumers through a smooth transition of temporary service to another provider, and restoration of its service at the completion of such interruption.

(D) Reporting of Unforeseen Service Interruptions. With respect to brief, unforeseen service interruptions or in the event of a VRS provider's voluntary service interruption of less than 30 minutes in duration, the affected provider must submit a written notification to CGB within two business days of the commencement of the service interruption, with an explanation of when and how the provider has restored service or the provider's plan to do so imminently. In the event the provider has not restored service at the time such report is filed, the provider must submit a second report within two business days of the restoration of service with an explanation of when and how the provider has restored service.

(E) Applicant Certifying Under Penalty of Perjury for Certification Application. The chief executive officer (CEO), chief financial officer (CFO), or

other senior executive of an applicant for iTRS certification with first-hand knowledge of the accuracy and completeness of the information provided must certify under penalty of perjury that all application information required under the Commission's rules and orders has been provided and that all statements of fact, as well as all documentation contained in the application submission, are true, accurate, and complete.

(F) Certified Provider Certifying Under Penalty of Perjury for Annual Compliance Filings. The CEO, CFO, or other senior executive of an iTRS provider with first-hand knowledge of the accuracy and completeness of the information provided, when submitting an annual compliance report under 47 CFR 64.606(g), must certify under penalty of perjury that all information required under the Commission's rules and orders has been provided and all statements of fact, as well as all documentation contained in the annual compliance report submission, are true, accurate, and complete.

(G) Notification of Service Cessation. An applicant for certification must give its customers at least 30-days notice that it will no longer provide service should the Commission determine that the applicant's certification application does not qualify for certification under 47 CFR 64.606(a)(2) of the Commission's rules.

(H) Notification on website. A provider must provide notification of temporary service outages to consumers on an accessible website, and the provider must ensure that the information regarding service status is updated on its website in a timely manner.

On June 10, 2013, the Commission made permanent the interim rule adopted in the VRS Certification Order requiring all applicants and providers of iTRS to certify, under penalty of perjury, that their certification applications and annual compliance reports are truthful, accurate, and complete.

Structure and Practices of the Video Relay Service Program; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Report and Order and Further Notice of Proposed Rulemaking, document FCC 13-82, published at 78 FR 40582, July 5, 2013.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2018-07366 Filed 4-10-18; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

[Docket No. AS18-05]

Appraisal Subcommittee Notice of Meeting

AGENCY: Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

ACTION: Notice of special meeting.

Description: In accordance with Section 1104(b) of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended, notice is hereby given that the Appraisal Subcommittee (ASC) will meet in open session for a Special Meeting

Location: Federal Reserve Board, 1801 K Street NW, Washington, DC 20006.

Date: April 23, 2018.

Time: 10:00 a.m.

Status: Open.

Action and Discussion Items: TriStar Bank Temporary Waiver Request.

How To Attend and Observe an ASC Meeting: If you plan to attend the ASC Meeting in person, we ask that you send an email to meetings@asc.gov. You may register until close of business four business days before the meeting date. You will be contacted by the Federal Reserve Law Enforcement Unit on security requirements. You will also be asked to provide a valid government-issued ID before being admitted to the Meeting. The meeting space is intended to accommodate public attendees. However, if the space will not accommodate all requests, the ASC may refuse attendance on that reasonable basis. The use of any video or audio tape recording device, photographing device, or any other electronic or mechanical device designed for similar purposes is prohibited at ASC meetings.

Dated: April 6, 2018.

James R. Park,

Executive Director.

[FR Doc. 2018-07512 Filed 4-10-18; 8:45 am]

BILLING CODE 6700-01-P

FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements

under the Shipping Act of 1984. Interested parties may submit comments on the agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within twelve days of the date this notice appears in the **Federal Register**. Copies of the agreements are available through the Commission's website (www.fmc.gov) or by contacting the Office of Agreements at (202)-523-5793 or tradeanalysis@fmc.gov.

Agreement No.: 201203-006.

Title: Port of Oakland/Oakland MTO Agreement.

Parties: Everport Terminal Services Inc.; Port of Oakland; SSA Terminals (Oakland), LLC; SSA Terminals, LLC; and TraPac LLC.

Filing Party: Wayne Rohde; Cozen O'Connor; 1200 Nineteenth Street NW, Washington, DC 20036.

Synopsis: The amendment deletes Ports America Outer Harbor Terminal, LLC as a party to the Agreement, updates the address of Everport Terminals Service, Inc., and corrects the name of Trapac, LLC.

Agreement No.: 201243.

Title: COSCO SHIPPING/WHL Slot Charter Agreement.

Parties: COSCO Shipping Lines Co., Ltd.; Wan Hai Lines (Singapore) Pte. Ltd.; and Wan Hai Lines Ltd.

Filing Party: Eric Jeffrey; Nixon Peabody LLP; 799 9th Street NW, Suite 500, Washington, DC 20001.

Synopsis: The Agreement authorizes COSCO Shipping to charter slots to WHL on an as needed/as available basis in the trade between China (including Hong Kong) and the United States Pacific Coast.

Agreement No.: 201244.

Title: ONE/APL AHX Space Charter Agreement.

Parties: Ocean Network Express Pte. Ltd., and APL Co. Pte. Ltd. and American President Lines, LLC (operating as one party).

Filing Party: Joshua Stein; Cozen O'Connor; 1200 Nineteenth Street NW, Washington, DC 20036.

Synopsis: The agreement authorizes ONE to charter space to APL and for the parties to enter into arrangements related to the chartering of such space in the trades between ports in China and Korea on one hand and ports in Hawaii on the other hand.

Dated: April 6, 2018.

Rachel Dickon,

Secretary.

[FR Doc. 2018-07483 Filed 4-10-18; 8:45 am]

BILLING CODE 6731-AA-P

FEDERAL RESERVE SYSTEM**Privacy Act of 1974; System of Records**

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of a new system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes the establishment of a new system of records, BGFRS-40, entitled "FRB—Board Subscription Services." The new system of records, BGFRS-40, will maintain subscription-related information regarding individuals who subscribe to Board publications. The main publication that the Board provides is the Federal Reserve Regulatory Service (FRRS), which is a compilation of the statutes administered by the Board along with regulations, interpretations, policy statements, rulings, and opinions issued by the Board and its staff. The FRRS also includes select regulations issued by other agencies that are relevant to the Board's responsibilities. The Board also provides subscriptions to other publications such as general publications, reports to Congress, and economic research and data.

To date, the Board has operated the subscription services itself and stored the data by year rather than by name or personal identifier. Going forward, the Board will contract the subscription services for the FRRS to a vendor, who will maintain the files (both electronic and in paper) in a manner that customarily allows the files to be accessed by name or personal identifier, thus necessitating this new system of records. After the transition of the FRRS subscription services to the vendor, the Board will continue to maintain its old historical FRRS subscription materials for the appropriate record retention period. In addition, the Board will continue to operate the subscription services for the other publications (*e.g.*, the general publications). The Board, however, is changing how it maintains its Board-operated subscription services as, going forward, the Board will be using an electronic system that will allow retrieval of the subscription materials by subscriber name or other personal identifier.

DATES: Comments must be received on or before May 11, 2018.

This new system of records will become applicable May 11, 2018, without further notice, unless comments dictate otherwise.

The Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, requires a 30-day period prior to publication in the **Federal Register** in which to review the system and to provide any comments to the agency. The public is then given a 30-day period in which to comment, in accordance with 5 U.S.C. 552a(e)(4) and (11).

ADDRESSES: You may submit comments, identified by *BGFRS-40; FRB—Board Subscription Services*, by any of the following methods:

- *Agency website:* <http://www.federalreserve.gov>. Follow the instructions for submitting comments at <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.

- *Email:* regs.comments@federalreserve.gov. Include SORN name and number in the subject line of the message.

- *Fax:* (202) 452-3819 or (202) 452-3102.

- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments will be made available on the Board's website at www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm as submitted, unless modified for technical reasons, or to remove sensitive PII at the commenter's request. Public comments may also be viewed electronically or in paper form in Room 3515, 1801 K Street (between 18th and 19th Streets NW) Washington, DC 20006 between 9:00 a.m. and 5:00 p.m. on weekdays.

FOR FURTHER INFORMATION CONTACTS: David B. Husband, Senior Attorney, Legal Division, (202) 530-6270, or david.b.husband@frb.gov; Alye S. Foster, Assistant General Counsel, Legal Division, or (202) 452-5289, or alye.s.foster@frb.gov. Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551, Telecommunications Device for the Deaf (TDD) users may contact (202) 263-4869.

SUPPLEMENTARY INFORMATION: In accordance with the Privacy Act of 1974, 5 U.S.C. 552a(r), a report of this system of records is being filed with the Chair of the House Committee on Oversight and Government Reform, the Chair of the Senate Committee on Homeland Security and Governmental Affairs, and the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget.

System Name and Number:

BGFRS-40, "FRB—Board Subscription Services"

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

The vendor will maintain FRRS subscription materials in paper and electronic form. The vendor is located at 101 Fry Drive, Mechanicsburg, PA 17055. The Board will maintain historical FRRS subscription records and any new FRRS records created and transmitted by the vendor to the Board (such as the monthly call reports).

The Board will also maintain the subscription information for other Board publications. Paper records will be stored in file folders and electronic records will be stored on the Board's network. Records will be maintained at the Board's central offices located at: Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

SYSTEM MANAGER(S):

Both managers are located at the Board's central offices in Washington, DC. The manager for the FRRS is Mike Budzinski, Manager, Editing, Office of Board Members, (202) 452-3262, mike.w.budzinski@frb.gov. For all other Board publications and for historical records stored at the Board, the manager is Gladys Parran, Manager, Printing & Fulfillment, Office of Board Members, (202) 736-5520, gladys.parran@frb.gov.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

12 U.S.C. 244.

PURPOSE(S) OF THE SYSTEM:

The Board is maintaining these records to allow individuals to subscribe to Board publications. The main publication the Board provides is the Federal Reserve Regulatory Service (FRRS), a publication that compiles the statutes administered by the Board along with regulations, interpretations, policy statements, rulings, and opinions issued by the Board and its staff as well as select regulations issued by other agencies that are relevant to the Board's responsibilities. The Board also makes available other publications such as general publications, reports to Congress, and economic research and data.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who subscribe to the FRRS or create an account for the purpose of subscribing to the FRRS and persons

who request to subscribe other available Board publications.

CATEGORIES OF RECORDS IN THE SYSTEM:

The Board Subscription Services system covers records related to the ordering and fulfillment of orders for the FRRS and other Board publications, such as economic research and data, general publications, and reports to Congress. The information collected for all publications (including the FRRS) includes the subscriber's name, company name or affiliation (if applicable), shipping address, order type, email address, and phone number. For Board publications other than the FRRS, the Board also collects (in paper form) the payment type (check, money order, credit card) and, if the order is by credit card, the relevant credit card information.

In addition, subscriptions for the FRRS also include the FRRS account information (log-in and password information), the billing address, order history, and fulfillment information (shipping and delivery instructions). The Board's vendor will also provide the Board with a monthly report on FRRS subscriptions. The monthly report will record FRRS subscription revenue and selected subscriber and fulfillment information of current FRRS subscribers, including the individual subscriber's name, company name (if applicable), email address, and order type. The Board will also retain historical FRRS subscription and payment information from when the Board operated the FRRS subscription for the appropriate six-year record retention period.

RECORD SOURCE CATEGORIES:

The subscriber to the publication or the FRRS account holder provides the relevant information.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

General routine uses, A, C, D, and G, apply to this system. These general routine uses are located at <https://www.federalreserve.gov/files/SORN-page-general-routine-uses-of-board-systems-of-records.pdf> and are published in the **Federal Register** at 73 FR 24984 (May 6, 2008) at 24985–86. In addition, consistent with OMB M–17–12, records may be disclosed in order:

1. *To facilitate a response to a breach of the Board.* Information may be disclosed to appropriate agencies, entities, and persons when: (1) The Board suspects or has confirmed that there has been a breach of the system of

records; (2) the Board has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals or the Board (including its information systems, programs, and operations), the federal government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Board's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

2. *To assist another federal agency or federal entity in responding to a breach.* Information may be disclosed to another federal agency or federal entity, when the Board determines that the information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the federal government, or national security, resulting from a suspected or confirmed breach.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Paper records in this system are stored in file folders with access limited to staff with a need to know. Electronic records are stored on a secure server.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Paper and electronic records can be retrieved by name or other identifying aspects.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

The retention period for the records in this system is six years. Records will be disposed of at the end of their retention periods, subject to an annual close-out.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Board staff are restricted to the data that is required in the performances of their duties. This is accomplished through user roles, which provide differential access levels to users based on their official duties and need-to-know. Only Board staff whose official duties require such access may view the subscription and fulfillment records. Electronic records are password protected and paper records are stored in locked file cabinets.

Only select Board and vendor staff will have access to the FRRS subscriber and fulfillment information provided in the monthly FRRS vendor-provided report. Authorized Board staff will

access the monthly FRRS report through an encrypted connection.

RECORD ACCESS PROCEDURES:

The Privacy Act allows individuals the right to access records maintained about them in a Board system of records. Your request for access must: (1) Contain a statement that it is made pursuant to the Privacy Act of 1974; (2) provide either the name of the Board system of records expected to contain the record requested or a concise description of the system of records; (3) provide the information necessary to verify your identity; and (4) provide any other information that may assist in the rapid identification of the record for which you are requesting access.

Current or former Board employees may make a request for access by contacting the Board office that maintains the record. The Board handles all Privacy Act requests as both a Privacy Act request and as a Freedom of Information Act request. The Board does not charge fees to a requestor seeking to access or amend his/her Privacy Act records. You may submit your Privacy Act request to the Secretary of the Board, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

If your request is for records maintained by the Board's Office of Inspector General, submit your request to the Inspector General, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. You may also submit your Privacy Act request electronically through the Board's FOIA "Electronic Request Form" located at <https://www.federalreserve.gov/secure/forms/efoiaform.aspx>.

CONTESTING RECORD PROCEDURES:

The Privacy Act allows individuals to seek amendment of information that is erroneous, irrelevant, untimely, or incomplete and is maintained in a system of records about you. To request an amendment to your record, you should clearly mark the request as a "Privacy Act Amendment Request." You have the burden of proof for demonstrating the appropriateness of the requested amendment and you must provide relevant and convincing evidence in support of your request.

Your request for amendment must: (1) Provide the name of the specific Board system of records containing the record you seek to amend; (2) identify the specific portion of the record you seek to amend; (3) describe the nature of and reasons for each requested amendment;

(4) explain why you believe the record is not accurate, relevant, timely, or complete; and (5) unless you have already done so in a Privacy Act request for access, provide the necessary information to verify your identity.

NOTIFICATION PROCEDURES:

Same as "Access procedures" above. You may also follow this procedure in order to request an accounting of previous disclosures of records pertaining to you as provided for by 5 U.S.C. 552a(c).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

No exemptions are claimed for this system.

HISTORY:

None.

Board of Governors of the Federal Reserve System, April 5, 2018.

Ann Misback,

Secretary of the Board.

[FR Doc. 2018-07417 Filed 4-10-18; 8:45 am]

BILLING CODE 6210-01-P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0043; Docket No. 2018-0003; Sequence No. 8]

Information Collection; Delivery Schedules

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning delivery schedules.

DATES: Submit comments on or before June 11, 2018.

ADDRESSES: Submit comments identified by Information Collection 9000-0043, Delivery Schedules by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by

searching the OMB control number. Select the link "Submit a Comment" that corresponds with "Information Collection 9000-0043, Delivery Schedules". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Information Collection 9000-0043, Delivery Schedules" on your attached document.

- *Mail:* General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 9000-0043, Delivery Schedules.

Instructions: Please submit comments only and cite Information Collection 9000-0043, Delivery Schedules, in all correspondence related to this collection. Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check www.regulations.gov, approximately two-to-three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Michael O. Jackson, Federal Acquisition Policy Division, GSA 202-208-4949 or via email at michaelo.jackson@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

The time of delivery or performance is an essential contract element and must be clearly stated in solicitations and contracts. The contracting officer may set forth a required delivery schedule or may allow an offeror to propose an alternate delivery schedule, for other than those for construction and architect-engineering, by inserting in solicitations and contracts a clause substantially the same as either FAR 52.211-8, Time of Delivery, or FAR 52.211-9, Desired and Required Time of Delivery. These clauses allow the contractor to fill in their proposed delivery schedule. The information is needed to assure supplies or services are obtained in a timely manner.

B. Annual Reporting Burden

Annual Responses: 16,874.
Hours per Response: .167.
Total Burden Hours: 2,818.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the Federal Acquisition Regulation (FAR), and

whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining Copies of Proposals:

Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, telephone 202-501-4755. Please cite OMB Control No. 9000-0043, Delivery Schedules, in all correspondence.

Dated: April 4, 2018.

Lorin S. Curit,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2018-07370 Filed 4-10-18; 8:45 am]

BILLING CODE 6820-EP-P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0061; Docket No. 2018-0003; Sequence No. 10]

Information Collection; Transportation Requirements

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement concerning Transportation Requirements.

DATES: Submit comments on or before June 11, 2018.

ADDRESSES: Submit comments identified by Information Collection 9000-0061, Transportation

Requirements, by any of the following methods:

- *Regulations.gov*: <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by inputting the OMB Control number. Select the link “Submit a Comment” that corresponds with “Information Collection 9000–0061, Transportation Requirements”. Follow the instructions provided at the “Submit a Comment” screen. Please include your name, company name (if any), and “Information Collection 9000–0061, Transportation Requirements” on your attached document.

- *Mail*: General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 9000–0061, Transportation Requirements.

Instructions: Please submit comments only and cite Information Collection 9000–0061, Transportation Requirements, in all correspondence related to this collection. Comments received generally will be posted without change to *regulations.gov*, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check *regulations.gov*, approximately two-to-three business days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Curtis E. Glover, Sr., Procurement Analyst, Office of Governmentwide Acquisition Policy, GSA 202–501–1448 or via email at curtis.glover@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

FAR Part 47 contains policies and procedures for applying transportation and traffic management considerations in the acquisition of supplies. The FAR part also contains policies and procedures when acquiring transportation or transportation-related services. Generally, contracts involving transportation require information regarding the nature of the supplies, method of shipment, place and time of shipment, applicable charges, marking of shipments, shipping documents and other related items.

Contractors are required to provide the information in accordance with the following FAR Part 47 clauses: 52.247–29 through 52.247–44, 52.247–48, 52.247–52, and 52.247–64. The information is used to ensure that: (1) Acquisitions are made on the basis most advantageous to the Government and; (2) supplies arrive in good order and

condition, and on time at the required place.

B. Annual Reporting Burden

Respondents: 65,000.
Responses per Respondent: 22.
Annual Responses: 1,430,000.
Hours Per Response: .05.
Total Burden Hours: 71,500.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary; whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; ways to enhance the quality, utility, and clarity of the information to be collected; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, telephone 202–501–4755. Please cite OMB Control No. 9000–0061, Transportation Requirements, in all correspondence.

Dated: April 4, 2018.

Lorin S. Curit,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2018–07371 Filed 4–10–18; 8:45 am]

BILLING CODE 6820–EP–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–3353–N]

Medicare Program; Reconciling National Coverage Determinations on Positron Emission Tomography (PET) Neuroimaging for Dementia

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: In accordance with the court order on July 19, 2016 (*Kort v. Burwell*), this notice provides further explanation on the National Coverage Determinations for positron emission

tomography (PET) neuroimaging for dementia.

FOR FURTHER INFORMATION CONTACT: Linda Gousis, (410) 786–8616.

SUPPLEMENTARY INFORMATION:

I. Background

On July 19, 2016, the United States District Court for the District of Columbia issued an order requiring the Secretary of Health and Human Services (HHS) to further explain one aspect of a National Coverage Determination (NCD) decision memorandum issued by the Centers for Medicare & Medicaid Services (CMS). *Kort v. Burwell*, 209 F.Supp.3d 98 (D.D.C. 2016). In particular, the court called for CMS to explain how its 2013 NCD denying coverage for a beta amyloid positron emission tomography scan (amyloid PET)¹ could be reconciled with an earlier 2004 NCD relating to fluorodeoxyglucose (FDG) positron emission tomography (PET) (FDG PET).² We issued the NCDs under our authority to interpret the “reasonable and necessary” statutory standard in section 1862(a)(1)(A) of the Social Security Act (the Act) as it applies to coverage of items and services in the Medicare program. In this notice, we describe the key differences between the two NCDs. We relied on the existing record in preparing this document.

II. Provisions of the Notice

In accordance with the Court’s order, we explain why CMS covers one diagnostic test for specific patients, while covering the other only in the context of a clinical study (*Kort*, 115). Briefly, the differences arose from the type of assessment the test provided; predictive value of the test; and consensus panels’ conclusions about the use of the tests.

A. Summary of the NCDs

The 2004 NCD for FDG PET resulted in narrow coverage of the diagnostic test for specific subpopulations of patients meeting narrowly defined criteria (CMS

¹ CMS, *Decision Memo for Beta Amyloid Positron Emission Tomography in Dementia and Neurodegenerative Disease (CAG–00431N)*; 2013 September 27. Available from: <https://www.cms.gov/medicare-coverage-database/details/nca-decision-memo.aspx?NCAId=265> (accessed on June 22, 2017). Note that amyloid PET is referred to in the 2013 NCD as “βA PET” or “amyloid PET” interchangeably. In this document, we are using “amyloid PET”; however, quotes may refer to it by the similar terms.

² CMS, *Decision Memo for Positron Emission Tomography (FDG) and Other Neuroimaging Devices for Suspected Dementia (CAG–00088R)*; 2014 September 15. Available from: <https://www.cms.gov/medicare-coverage-database/details/nca-decision-memo.aspx?NCAId=104> (accessed on June 22, 2017).

2004, 32).³ We determined that the “scan is reasonable and necessary in patients with documented cognitive decline of at least six months and a recently established diagnosis of dementia who meet diagnostic criteria for both Alzheimer’s disease (AD) and fronto-temporal dementia (FTD), who have been evaluated for specific alternate neurodegenerative diseases or causative factors, and for whom the cause of the clinical symptoms remains uncertain” (CMS 2004, 3).

The 2013 amyloid PET NCD resulted in non-coverage of amyloid PET for dementia and neurodegenerative disease; however, coverage was made available in the context of a clinical study. There, one amyloid PET scan per patient would be covered through coverage with evidence development (CED) pursuant to section 1862(a)(1)(E) of the Act (CMS 2013, 4). The diagnostic test is covered under certain research parameters “in two scenarios: (1) To exclude Alzheimer’s disease (AD) in narrowly defined and clinically difficult differential diagnoses, such as AD versus frontotemporal dementia (FTD); and (2) to enrich clinical trials seeking better treatments or prevention strategies, by allowing for selection of patients on the basis of biological as well as clinical and epidemiological factors” (CMS 2013, 4).

B. *Kort v. Burwell* Summary

The plaintiffs in *Kort* were beneficiaries who exhibited symptoms of cognitive impairment but did not have a diagnosis for their illness. They wanted amyloid PET scans because they thought the scans would help their doctors make a differential diagnosis. The court determined that the amyloid PET NCD failed to adequately explain how the decision denying coverage for amyloid PET could be reconciled with the earlier decision approving coverage of FDG PET in certain contexts. The court noted, “[t]he similarities between FDG PET and BA scans are manifest. Both are diagnostic tests that involve the use of a PET scan and a radiopharmaceutical tracer. Both are indicated for use on overlapping patient populations exhibiting symptoms of cognitive impairment. And, although neither test can affirmatively diagnose a disease, both have diagnostic value as a tool for differentially diagnosing patients who exhibit symptoms

associated with several different diseases” (*Kort*, 114–115). Without vacating the 2013 NCD, the Court remanded “the Decision Memo so that the agency can evaluate in the first instance whether its coverage decisions can be reconciled” (*Kort*, 115).

C. *Analytic Framework for Reviewing Clinical Evidence*

We evaluated the relevant clinical evidence to determine whether or not the evidence is sufficient to support a finding that an item or service is reasonable and necessary for the Medicare population, which consists largely of adults 65 years of age and older (CMS 2004, 13 and CMS 2013, 13). This process was discussed in the methodological principles for both NCDs. The critical appraisal of the evidence enables CMS to determine to what degree the agency is confident that the intervention will improve health outcomes for beneficiaries (CMS 2004, 13 and CMS 2013, 13).

Specifically for diagnostic imaging tests, the overall assessment focuses on whether use of the test to guide patient management and treatment improves health outcomes (also referred to as clinical utility). Before appropriately reaching a consideration of outcomes, two fundamental properties of diagnostic tests need to be established: (1) the test accurately and reliably measures the intended analyte, factor, or component (also referred to as analytic validity); and (2) the test accurately and reliably identifies the condition or disorder of interest (also referred to as clinical validity). Outcomes such as change in patient management due to diagnostic tests and accuracy, sensitivity, and specificity are also of interest to CMS (CMS 2004, 14 and CMS 2013, 30).

D. *Review of the Clinical Evidence for FDG and Amyloid PET*

While both diagnostic tests use a PET scan, there is a distinction in the tracers used for the scans: FDG provides a physiologic (functional) assessment of the brain since it highlights glucose metabolism; meanwhile, beta amyloid tracers such as florbetapir (Amyvid®) and flutemetamol (Vizamyl®) provide a molecular (anatomic) assessment since they bind to amyloid β plaques (CMS 2004, 5 and CMS 2013, 11). In both coverage analysis, we focused on whether the PET scans can accurately and reliably identify dementias, including AD, and whether use of the scans to guide management and treatment improves meaningful health outcomes (CMS 2004, 14 and CMS 2013, 14). We focused on these because

numerous mechanism of action studies have shown that PET scans can accurately and reliably detect radionuclide tracers that tag nitrogen, oxygen, glucose, and amyloid.⁴

Ultimately, we determined that evidence for FDG PET for differential diagnosis of dementias was more compelling and substantiated than for amyloid PET when the same analytic framework was applied to these diagnostic imaging tests. There were several reasons for CMS finding FDG PET more compelling. The ability of the FDG PET test to accurately and reliably identify the disorder of interest is better established and accepted than for molecular PET scans, such as beta amyloid (CMS 2004, 8). Since the 1980s, functional assessment of the brain using one of a number of tracers, such as ones for blood flow, oxygen utilization, and glucose metabolism, has been used to diagnose dementia. Among these, FDG is a glucose analog and behaves similar to glucose in the cell. Glucose metabolism may be viewed as an indicator of cell activity. Used as a PET tracer, FDG will indicate the cell activity. In the brain, function as shown by cell activity (glucose metabolism or FDG tagging) may be used to differentiate causes of dementia (CMS 2004, 7). For example, in frontal lobe dementia, imaging tests have shown marked hypometabolism (darker areas) of the frontal or temporal lobes with sparing of parietal lobes. In patients with Alzheimer’s disease, there is typically hypometabolism bilaterally in the temporal and parietal lobes (CMS 2004, 5, 7, and 33). Additionally, “the presumed higher specificity of FDG PET for detecting metabolic patterns correlated with FTD could decrease the number of false positive results for AD and consequently increase the number of true positives for FTD to inform

⁴Petersen et al. Practice parameter: Early detection of dementia: Mild cognitive impairment (an evidence-based review), Report of the Quality Standards Subcommittee of the American Academy of Neurology. *Neurology*. May 2001; Neuroimaging in the Diagnosis of Alzheimer’s Disease and Dementia. Expert panel convened by the Neuroscience and Neuropsychology of Aging Program, National Institute on Aging (NIA), HHS. April 5, 2004. <https://www.cms.gov/Medicare/Coverage/DeterminationProcess/downloads/id104d.pdf> (accessed on August 9, 2017); and D Matchar, S Kulasingam, B Huntington, M Patwardhan, L Mann. Technology Assessment: Positron emission tomography, single photon emission computed tomography, computed tomography, functional magnetic resonance imaging, and magnetic resonance spectroscopy for the diagnosis and management of Alzheimer’s disease. Duke Center for Clinical Health Policy Research and Evidence Practice Center. December 2001. <https://www.cms.gov/Medicare/Coverage/DeterminationProcess/downloads/id9TA.pdf> (accessed August 9, 2017). (CMS 2004, 43 and 46)

³In this document, page numbers for the decision memorandum citations are based off of the page number at the bottom of the page on the PDF version which is available for download from web page provided in the previous footnotes for this document. Click on the “Need a PDF?” icon on the right side of the screen to obtain a PDF.

patient management and caregiver counseling” (CMS 2004, 35).

In contrast to the evidence supporting use of FDG PET, there were uncertainties regarding the use of amyloid PET. The presence or absence of amyloid in the brain has been considered in diagnosis of AD, but it is not diagnostic because some normal individuals also have amyloid plaques (CMS 2013, 10). Amyloid tracers bind to and statically mark amyloid plaque providing an anatomic or structural assessment (location and concentration) but do not provide information on cell activity or brain function. This is an inherent limitation of anatomic assessments compared to functional assessments because the hallmark of dementia is an abnormal decline in cognitive function (CMS 2013, 7). Thus, the premise that the test accurately and reliably identifies the disorder is reduced in amyloid imaging compared to functional imaging, such as FDG, due to the different mechanisms of action. Additionally, the ability of amyloid PET scans to diagnose AD is inherently reduced by the pathophysiologic characteristics of AD since the presence extracellular amyloid β is only one of two specific findings required for the diagnosis of AD. The second key factor is the presence of intracellular neurofibrillary tangles (NFTs) consisting of abnormal tau proteins. Amyloid tracers do not show the presence of NFTs or abnormal tau proteins, which are not detected by any commercially available radionuclide tracer (CMS 2013, 10). In addition, findings based on postmortem investigation and studies (pathophysiologic alternations in brain biopsies) may not directly translate to factors that may be used to make a clinical diagnosis of patients with dementia.

The FDG PET NCD acknowledged that AD-type physiology may be present in normal individuals with normal cognitive function; therefore, a positive amyloid PET scan does not necessarily mean the individual has AD (CMS 2004, 5). As subsequently noted in the amyloid PET decision memo nine years later, “[A]myloid plaques are seen in other diseases, such as dementia with Lewy bodies, cerebral amyloid angiopathy, Parkinson’s disease, Huntington’s disease, and inclusion body myositis. Amyloid plaques can also be detected in cognitively normal older adults. Autopsy studies demonstrate that approximately 33% of older individuals (20–65% depending on age) who are cognitively normal have amyloid accumulation at levels consistent with AD pathology (Hulette

1998, Price 1999, Knopman 2003, Rowe 2010)” (CMS 2013, 10).

The reliability of test is a necessary component for determining health outcomes or clinical utility. The foundation of clinical utility for functional PET scans, like FDG PET, is better established than anatomic PET scans, like amyloid PET. While direct, high quality evidence on clinical utility of FDG PET for dementia was not found in published literature at the time of the 2004 decision, there were related studies that showed clinical utility of FDG PET for other treatable causes of cognitive impairment or dementia such as cerebrovascular disease, certain inherited diseases, and metabolic conditions that could possibly be diagnosed with FDG PET, and then treated with proven therapies to improve health outcomes (CMS 2004, 32, 37). At the time of the amyloid PET NCD, there was no published evidence of clinical utility similar to what was reviewed for FDG PET, and there were no related studies suggesting that amyloid PET would be helpful in the differential diagnosis of AD and FTD (CMS 2013, 14). Further, because amyloid PET does not specifically diagnose other conditions, the clinical utility or improved health outcomes associated with other diseases is not applicable.

Since the mid-2000s, a number of clinical trials of different therapies that target amyloid have failed to produce results of improvement in health outcomes (CMS 2013, 61).⁵ FDG PET did not have the same negative trials at the time of our 2004 decision.

E. Determining the Predictive Value of Amyloid PET Compared to FDG PET

We did not have the same concerns regarding false positives using FDG PET to differentially diagnose AD as we did with amyloid PET. The predictive value of the amyloid PET scan cannot be based solely on its capability to “rule out” AD, because there is also the risk

⁵ See also Peterson RC. Early Diagnosis of Alzheimer’s Disease: Is MCI Too Late? Current Alzheimer Research. 2009; 6(4):329; Petersen RC, Smith G, Waring S, et al. Mild cognitive impairment: clinical characterization and outcome. Archives of Neurology. 1999;56:303–8; National Institute on Aging (NIA) and the Reagan Institute. Consensus recommendations for the postmortem diagnosis of Alzheimer’s disease. The National Institute on Aging, and Reagan Institute Working Group on Diagnostic Criteria for the Neuropathological Assessment of Alzheimer’s Disease. Neurobiology of Aging. 1997 Jul-Aug;18(4 Suppl):S1–2; and Technology Evaluation Center (TEC), Blue Cross Blue Shield. Beta Amyloid Imaging with Positron Emission Tomography (PET) for Evaluation of Suspected Alzheimer’s Disease or Other Causes of Cognitive Decline. 2013 February;27(5).

of positively diagnosing patients with Alzheimer’s when they do not have it. Conversely, for a patient faced with the possibility of having Alzheimer’s, a negative amyloid PET result could be reassuring (CMS 2013, 52–53). However, such reassurance would not change clinical management because the patient may still have AD. If a clinician did not have “a convincing clinical picture [of AD], work up to exclude other diagnosable and potentially treatable diseases should proceed anyway (as it would if an amyloid scan were negative). The unavailability of an amyloid scan does not change that logic” (CMS 2013, 52).

At the same time, the amyloid PET scan portends great risk because there is no evidence for what a positive scan means in specific patients since they can have amyloid plaques but not have AD. At the Medicare Evidence Development & Coverage Advisory Committee (MEDCAC) meeting held specifically on amyloid PET on January 30, 2013, one expert speaker mentioned that he believed that a patient with mild cognitive impairment (MCI) and a positive amyloid PET scan had Alzheimer’s disease and that many other experts agreed with him (MEDCAC 2013, 31, 53).⁶ However, no published clinical trials, studies, consensus publications, or further MEDCAC discussions identified whether, for amyloid PET, “objectively-defined subpopulations of patients with cognitive impairment for which the scan (alone or combined with other tests) may be more or less appropriate. Yet there are many subtypes of MCI, and some (e.g., amnesic MCI) may be more relevant than others. Furthermore, there is evidence that the same level of amyloid burden detected by a scan may mean something very different in say, a 66 year-old compared to an 86 year-old (e.g., Le Couteur 2013, Laforce 2011). Yet the [Amyloid Imaging Task Force] AIT is silent about such potentially important distinctions” (CMS 2013, 33). (The AIT was a consensus panel that developed recommendations for use of amyloid PET.)

We concluded in the amyloid PET NCD that “widespread clinical use of the scan both in many types of patients with unexplained MCI, and to make a positive diagnosis of Alzheimer’s disease (despite insufficient evidence on

⁶ Medicare Evidence Development & Coverage Advisory Committee (MEDCAC), Meeting: Beta Amyloid Positron Emission Tomography (PET) in Dementia and Neurodegenerative Disease, Meeting Transcript; 2013 January 30. Available from: <https://www.cms.gov/Regulations-and-Guidance/Guidance/FACA/downloads/id66d.pdf> (accessed on June 22, 2017). (CMS 2013, 79, 80, and 82)

the clinical meaning of a positive scan) has great potential to lead to over-diagnosis of Alzheimer's disease. Such misdiagnosis of Alzheimer's disease portends real harm to our beneficiaries (La Couteur 2013), and this must be considered in our coverage decision" (CMS 2013, 33).

"False positive" test results, widely considered by radiologists as the bane of diagnostic imaging, are of special concern for amyloid PET. The following are scenarios that contrast the impacts of negative, positive, and false positive test results. For example, if a patient were to get a computed tomography (CT) study of the chest, abdomen, and pelvis to "rule out" cancer, and if the CT study were negative, that indeed would be reassuring to the patient. However, if the study were positive for an enlarged lymph node, liver lesion, or some questionable pulmonary nodule, these findings could be followed up by biopsy, surgical resection, or assessing for progression of disease on a close follow-up CT. In contrast, a completely different clinical scenario follows amyloid PET. Those options to further explore findings common for other "positive" diagnostic tests do not exist. Providers cannot do a biopsy, resection, or close follow up of amyloid imaging after a positive amyloid scan.

Concern about false positive test results was not a major factor in the 2004 decision memorandum on FDG PET. Based off of an external technical assessment that helped inform the 2004 decision memorandum, we concluded that "FDG-PET testing would reduce the number of false positive results" (CMS 2004, 16). FDG PET has the ability to diagnose patients with disease (dementias, not only Alzheimer's) since it is a functional test and measures glucose metabolism (activity) as noted earlier. Based on the patterns of uptake (cellular function indicating activity), a differential diagnosis between FTD (characteristic hypometabolism in the frontal lobe of the brain) versus AD (characteristic hypometabolism in temporal and parietal lobes of the brain) versus normal patterns (no hypometabolism) may be made. In our FDG PET decision, we noted, "Patients with FTD generally tend to show bifrontal and bitemporal hypoperfusion in single photon emission computerized tomography (SPECT) or glucose hypometabolism in FDG PET scans. In contrast, temporoparietal defects are predominant in AD" (CMS 2004, 7).

In contrast, the false positive results were a greater concern with amyloid PET (CMS 2013, 48–50), since amyloid plaques may be present in many individuals with normal cognitive

function. As noted earlier, the presence of amyloid (positive test) by itself does not diagnose AD since the diagnosis of AD is based on the presence of both amyloid and tau proteins on autopsy. A positive amyloid PET does not allow a differential diagnosis between FTD versus AD versus an individual with normal cognitive function since amyloid is a structural component and does not indicate function.

F. Expert Consensus in Making Evidence-based NCDs

Two expert panels, in 2002, the Medicare Coverage Advisory Committee (MCAC)⁷ Diagnostic Imaging Panel,⁸ and, in 2004, the National Institute on Aging (NIA) agreed on a narrow conditioned clinical use for the FDG PET scan (MCAC–DIP 2002, 122, 196–197 and CMS 2004, 35). The expert panel convened by NIA believed the existing evidence warranted use of FDG–PET for a limited number of cases including differential diagnosis of AD and FTD (NIA 2004, 32, 35, 45, 48, and 51–52). For these reasons, in 2004 we had confidence in the plausibility of downstream health outcomes for a narrow indication for FDG PET for differential diagnosis of AD and FTD.

In contrast to the uniform consensus for FDG PET, in 2013, two expert panels, the AIT⁹ and MEDCAC,¹⁰ manifestly disagreed about the clinical use of the amyloid PET scan (CMS 2013, 33 and MEDCAC 2013, 55). While the AIT noted amyloid imaging may be appropriate in progressive unexplained or unclear clinical presentations (Johnson 2013, e6), the MEDCAC did not find sufficient evidence for CMS to support outright coverage of amyloid PET (MEDCAC 2013, 248, 250). This different degree of consensus between 2004 and 2013 was a contributing factor in our decisions. However, our

⁷ The MCAC was the predecessor to the MEDCAC.

⁸ MEDCAC, Meeting: Positron Emission Tomography (FDG) for Alzheimer's Disease/Dementia (Diagnostic Imaging Panel), Meeting Transcript; 2002 January 10. <https://www.cms.gov/Regulations-and-Guidance/Guidance/FACA/downloads/id2a.pdf> (accessed June 22, 2017).

⁹ Johnson et al., *Appropriate use criteria for amyloid PET: A report of the Amyloid Imaging Task Force, the Society of Nuclear Medicine and Molecular Imaging, and the Alzheimer's Association*, Alzheimer's and Dementia; 2013 January. http://www.alz.org/research/downloads/appropriate_use_criteria_for_amyloid_PET_Alz_and_Dem_January_2013.pdf (accessed June 22, 2017).

¹⁰ MEDCAC, Meeting: Beta Amyloid Positron Emission Tomography (PET) in Dementia and Neurodegenerative Disease; 2013 January 30. <https://www.cms.gov/medicare-coverage-database/details/medcac-meeting-details.aspx?MEDCACId=66&year=2013&bc=AAAIAAAAAAAAAAAA%3d%3d&> (accessed June 22, 2017).

evidence-based approach to coverage determinations does not rely on consensus alone. As explained in the 2013 NCD, "two credible expert panels—the AIT and the MEDCAC—produced differing consensus. That's why, in the well-established process of scientific evaluation, evidence must be evaluated to determine the strength of the consensus opinion" (CMS 2013, 33). At the time the amyloid PET NCD was finalized, there was no evidence to support or refute the consensus opinions. CED for amyloid PET supported the needed development of evidence for future evaluation. Therefore, based on the evidence reviewed as described above and the conclusions of the expert panels, we came to differing conclusions because the evidence for FDG PET for a narrowly defined patient population was better established than for amyloid PET.

G. Summary

As required by the court order that accompanied the *Kort* opinion, this document further explains why we reached different conclusions with respect to section 1862(a)(1)(A) of the Act in the NCDs for FDG PET and amyloid PET. Both decisions were based on the available evidence according to our analytic framework described herein. Based on that evidence, we created narrow coverage for a small patient population with extensive patient eligibility criteria and provider requirements for FDG PET. For amyloid PET, the totality of the evidence available was not sufficient to demonstrate that the test produced diagnostic value as a tool for differentially diagnosing patients who exhibit symptoms associated with AD or FTD. Therefore, we established coverage for amyloid PET in the context of a clinical study setting with patient and provider eligibility criteria under the authority of section 1862(a)(1)(E) of the Act.

III. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Dated: March 16, 2018.

Seema Verma,

Administrator, Centers for Medicare & Medicaid Services.

Dated: April 5, 2018.

Alex M. Azar II,

Secretary, Department of Health and Human Services.

[FR Doc. 2018-07410 Filed 4-10-18; 8:45 am]

BILLING CODE 4120-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2017-N-4561]

Advisory Committee; Bone, Reproductive and Urologic Drugs Advisory Committee, Renewal

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; renewal of advisory committee.

SUMMARY: The Food and Drug Administration (FDA) is announcing the renewal of the Bone, Reproductive and Urologic Drugs Advisory Committee by the Commissioner of Food and Drugs (the Commissioner). The Commissioner has determined that it is in the public interest to renew the Bone, Reproductive and Urologic Drugs Advisory Committee for an additional 2 years beyond the charter expiration date. The new charter will be in effect until March 23, 2020.

DATES: Authority for the Bone, Reproductive and Urologic Drugs Advisory Committee will expire on March 23, 2020, unless the Commissioner formally determines that renewal is in the public interest.

FOR FURTHER INFORMATION CONTACT: Kalyani Bhatt, Division of Advisory Committee and Consultant Management, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, Rm. 2417, Silver Spring, MD 20993-0002, 301-796-9001, email: BRUDAC@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 41 CFR 102-3.65 and approval by the Department of Health and Human Services pursuant to 45 CFR part 11 and by the General Services Administration, FDA is announcing the renewal of the Bone, Reproductive and Urologic Drugs Advisory Committee (the Committee). The Committee is a discretionary Federal advisory committee established to provide advice to the Commissioner.

The Committee advises the Commissioner or designee in

discharging responsibilities as they relate to helping to ensure safe and effective drugs for human use and, as required, any other product for which FDA has regulatory responsibility.

The Committee reviews and evaluates data on the safety and effectiveness of marketed and investigational human drug products for use in the practice of osteoporosis and metabolic bone disease, obstetrics, gynecology, urology, and related specialties, and makes appropriate recommendations to the Commissioner.

The Committee shall consist of a core of 11 voting members including the Chair. Members and the Chair are selected by the Commissioner or designee from among authorities knowledgeable in the fields of osteoporosis and metabolic bone disease, obstetrics, gynecology, urology, pediatrics, epidemiology, or statistics and related specialties. Members will be invited to serve for overlapping terms of up to 4 years. Almost all non-Federal members of this committee serve as Special Government Employees. The core of voting members may include one technically qualified member, selected by the Commissioner or designee, who is identified with consumer interests and is recommended by either a consortium of consumer-oriented organizations or other interested persons. In addition to the voting members, the Committee may include one non-voting member who is identified with industry interests.

Further information regarding the most recent charter and other information can be found at <https://www.fda.gov/AdvisoryCommittees/CommitteesMeetingMaterials/Drugs/ReproductiveHealthDrugsAdvisoryCommittee/ucm107572.htm> or by contacting the Designated Federal Officer (see **FOR FURTHER INFORMATION CONTACT**). In light of the fact that no change has been made to the committee name or description of duties, no amendment will be made to 21 CFR 14.100.

This document is issued under the Federal Advisory Committee Act (5 U.S.C. app.). For general information related to FDA advisory committees, please check <https://www.fda.gov/AdvisoryCommittees/default.htm>.

Dated: April 5, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018-07437 Filed 4-10-18; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2018-N-0981]

Preparation for International Cooperation on Cosmetics Regulation Twelfth Annual Meeting; Public Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public meeting.

SUMMARY: The Food and Drug Administration (FDA or we) is announcing the following public meeting entitled “International Cooperation on Cosmetics Regulation (ICCR)—Preparation for ICCR-12 Meeting.” The purpose of the public meeting is to invite public input on various topics pertaining to the regulation of cosmetics. We may use this input to help us prepare for the ICCR-12 meeting that will be held July 10 to 12, 2018, in Tokyo, Japan.

DATES: The public meeting will be held on June 7, 2018, from 2 p.m. to 4 p.m. See the **SUPPLEMENTARY INFORMATION** section for registration date and information.

ADDRESSES: The public meeting will be held at the Food and Drug Administration, Center for Food Safety and Applied Nutrition, 5001 Campus Dr., Wiley Auditorium (first floor), College Park, MD 20740.

FOR FURTHER INFORMATION CONTACT: Jonathan Hicks, Office of Cosmetics and Colors, Food and Drug Administration, 5001 Campus Dr. (HFS-125), College Park, MD 20740, jonathan.hicks@fda.hhs.gov, 240-402-1375.

SUPPLEMENTARY INFORMATION:

I. Background

The intention of the ICCR multilateral framework is to pave the way for the removal of regulatory obstacles to international trade while maintaining global consumer protection. The purpose of the meeting is to invite public input on various topics pertaining to the regulation of cosmetics. We may use this input to help us prepare for the ICCR-12 meeting that will be held July 10 to 12, 2018, in Tokyo, Japan.

ICCR is a voluntary international group of cosmetics regulatory authorities from Brazil, Canada, the European Union, Japan, and the United States of America. These regulatory authority members will engage in constructive dialogue with their relevant cosmetics industry trade

associations and public advocacy groups. Currently, the ICCR members are: The Brazilian Health Surveillance Agency; Health Canada; the European Commission Directorate-General for Internal Market, Industry, Entrepreneurship, and Small and Medium-sized Enterprises; the Ministry of Health, Labor, and Welfare of Japan; and FDA. All decisions are made by consensus and will be compatible with the laws, policies, rules, regulations, and directives of the respective administrations and governments. Members will implement and/or promote actions or documents within their own jurisdictions and seek convergence of regulatory policies and practices. Successful implementation will need input from stakeholders.

II. Topics for Discussion at the Public Meeting

We will make the agenda for the public meeting available on the internet at <https://www.fda.gov/Cosmetics/InternationalActivities/ICCR/default.htm>. Depending on the number of requests for oral presentations, we intend to have an agenda available by May 31, 2018.

III. Participating in the Public Meeting

Registration: To register for the public meeting, send registration information (including your name, title, affiliation, address, email, and telephone), to Jonathan Hicks by May 24, 2018 (see **FOR FURTHER INFORMATION CONTACT**). If you would like to listen to the meeting by phone, please submit a request for a dial-in number by May 24, 2018. If you need special accommodations due to a disability, please contact Jonathan Hicks by May 31, 2018.

Requests for Oral Presentations: If you wish to make an oral presentation, you should notify Jonathan Hicks by May 24, 2018, and submit a brief statement of the general nature of the evidence or arguments that you wish to present, your name, title, affiliation, address, email, and telephone, and indicate the approximate amount of time you need to make your presentation. You may present proposals for future ICCR agenda items, data, information, or views, in person or in writing, on issues pending at the public meeting. There will be no presentations by phone. Time allotted for oral presentations may be limited to 10 minutes or less for each presenter, depending on the number of requests received.

Transcripts: Please be advised that as soon as a transcript of the public meeting is available, it will be accessible at <https://www.regulations.gov>. It may also be viewed at the Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20850.

Dated: April 5, 2018.
Leslie Kux,
Associate Commissioner for Policy.
 [FR Doc. 2018-07416 Filed 4-10-18; 8:45 am]
BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2018-N-1336]

**Oxford Pharmaceuticals, LLC, et al.;
 Withdrawal of Approval of 18
 Abbreviated New Drug Applications**

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is withdrawing approval of 18 abbreviated new drug applications (ANDAs) from multiple applicants. The holders of the applications notified the Agency in writing that the drug products were no longer marketed and requested that the approval of the applications be withdrawn.

DATES: Approval is withdrawn as of May 11, 2018.

FOR FURTHER INFORMATION CONTACT: Trang Tran, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 75, Rm. 1671, Silver Spring, MD 20993-0002, 240-402-7945, Trang.Tran@fda.hhs.gov.

SUPPLEMENTARY INFORMATION: The holders of the applications listed in the table have informed FDA that these drug products are no longer marketed and have requested that FDA withdraw approval of the applications under the process in § 314.150(c) (21 CFR 314.150(c)). The applicants have also, by their requests, waived their opportunity for a hearing. Withdrawal of approval of an application or abbreviated application under § 314.150(c) is without prejudice to refiling.

Application No.	Drug	Applicant
ANDA 040252	Carisoprodol and Aspirin Tablets USP, 200 milligrams (mg)/325 mg.	Oxford Pharmaceuticals, LLC, 301 Leaf Lake Pkwy., Birmingham, AL 35211.
ANDA 040283	Carisoprodol, Aspirin, and Codeine Phosphate Tablets USP, 200 mg/325 mg/16 mg.	Do.
ANDA 061214	Tetracycline Hydrochloride (HCl) Capsules USP, 250 mg and 500 mg.	Roxane Laboratories, Inc., 1809 Wilson Rd., Columbus, OH 43228.
ANDA 061682	Tetracycline HCl Tablets, 500 mg	Mylan Pharmaceuticals Inc., P.O. Box 4293, Morgantown, WV 26505.
ANDA 062212	Totacillin (ampicillin/ampicillin trihydrate) Capsules, Equivalent to (EQ) 250 mg base and EQ 500 mg base.	GlaxoSmithKline, Five Moore Dr., P.O. Box 13398, Research Triangle Park, NC 27709.
ANDA 062654	Rocephin (ceftriaxone sodium) for Injection, EQ 500 mg base/vial, EQ 1 gram (g) base/vial, and EQ 2 g base/vial.	Hoffman La-Roche, Inc., c/o Genentech, Inc., 1 DNA Way, MS 241B, South San Francisco, CA 94080.
ANDA 062680	Oxacillin Sodium for Injection (Pharmacy Bulk Package)	ACS Dobfar S.p.A., c/o Interchem Corp., 120 Route 17 North, Paramus, NJ 07653.
ANDA 065124	Cefotaxime for Injection USP, EQ 500 mg base/vial, EQ 1 g base/vial, and EQ 2 g base/vial.	Lupin Ltd., c/o Lupin Pharmaceuticals, Inc., 111 South Calvert St., Harborplace Tower, 24th Floor, Baltimore, MD 21202.
ANDA 065263	Ceftriaxone for Injection USP, EQ 10 g base/vial (Pharmacy Bulk Package).	Do.
ANDA 074845	Diltiazem HCl Extended-Release Capsules USP, 60 mg, 90 mg, and 120 mg.	Biovail Corp. International, Subsidiary of Valeant Pharmaceuticals North America, LLC, 400 Somerset Corporate Blvd., Bridgewater, NJ 08807.

Application No.	Drug	Applicant
ANDA 077173	Ondansetron Injection USP, EQ 2 mg base/milliliter (mL)	Sun Pharmaceutical Industries Ltd., c/o Sun Pharmaceutical Industries, Inc., 2 Independence Way, Princeton, NJ 08540.
ANDA 078598	Ciprofloxacin Ophthalmic Solution USP, EQ 0.3% base	Amring Pharmaceuticals, Inc., 1235 Westlakes Dr., Suite 205, Berwyn, PA 19312.
ANDA 078805	Irinotecan HCl Injection, 20 mg/mL	Sun Pharma Global FZE, c/o Sun Pharmaceutical Industries, Inc., 2 Independence Way, Princeton, NJ 08540.
ANDA 086024	Capital and Codeine (acetaminophen and codeine phosphate) Oral Suspension USP, 120 mg/12 mg per 5 mL.	Valeant Pharmaceuticals North America, LLC, 400 Somerset Corporate Blvd., Bridgewater, NJ 08807.
ANDA 091180	Dorzolamide HCl and Timolol Maleate Ophthalmic Solution, EQ 2% base/EQ 0.5% base.	Zambon S.p.A., c/o Camargo Pharmaceutical Services, LLC, 9825 Kenwood Rd., Suite 203, Cincinnati, OH 45242.
ANDA 203176	Nevirapine Tablets USP, 200 mg	Technology Organized, LLC, 9191 Point Replete Dr., Fort Belvoir, VA 22060.
ANDA 204900	Amlodipine Besylate Tablets USP, EQ 2.5 mg base, EQ 5 mg base, and EQ 10 mg base.	Sovereign Pharmaceuticals, LLC, 7590 Sand St., Fort Worth, TX 76118.
ANDA 209480	Clozapine Tablets USP, 25 mg, 50 mg, 100 mg, and 200 mg.	Zydus Pharmaceuticals USA, Inc., 73 Route 31 North, Pennington, NJ 08534.

Therefore, approval of the applications listed in the table, and all amendments and supplements thereto, is hereby withdrawn as of May 11, 2018. Introduction or delivery for introduction into interstate commerce of products without approved new drug applications violates section 301(a) and (d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(a) and (d)). Drug products that are listed in the table that are in inventory on May 11, 2018 may continue to be dispensed until the inventories have been depleted or the drug products have reached their expiration dates or otherwise become violative, whichever occurs first.

Dated: April 5, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018-07440 Filed 4-10-18; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2018-N-1095]

Request for Nominations for Individuals and Consumer Organizations for Advisory Committees

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is

requesting that any consumer organizations interested in participating in the selection of voting and/or nonvoting consumer representatives to serve on its advisory committees or panels notify FDA in writing. FDA is also requesting nominations for voting and/or nonvoting consumer representatives to serve on advisory committees and/or panels for which vacancies currently exist or are expected to occur in the near future. Nominees recommended to serve as a voting or nonvoting consumer representative may be self-nominated or may be nominated by a consumer organization.

FDA seeks to include the views of women and men, members of all racial and ethnic groups, and individuals with and without disabilities on its advisory committees, and therefore encourages nominations of appropriately qualified candidates from these groups.

DATES: Any consumer organization interested in participating in the selection of an appropriate voting or nonvoting member to represent consumer interests on an FDA advisory committee or panel may send a letter or email stating that interest to FDA (see **ADDRESSES**) by May 11, 2018, for vacancies listed in this notice. Concurrently, nomination materials for prospective candidates should be sent to FDA (see **ADDRESSES**) by May 11, 2018. Nominations will be accepted for current vacancies and for those that will or may occur through July 31, 2018.

ADDRESSES: All statements of interest from consumer organizations interested in participating in the selection process

and consumer representative nominations should be submitted electronically to ACOMSSubmissions@fda.hhs.gov, by mail or delivery service to Advisory Committee Oversight and Management Staff, 10903 New Hampshire Ave., Bldg. 32, Rm. 5103, Silver Spring, MD 20993-0002, or by Fax: 301-847-8640.

Consumer representative nominations should be submitted electronically by logging into the FDA Advisory Committee Membership Nomination Portal: <https://www.accessdata.fda.gov/scripts/FACTRSPortal/FACTRS/index.cfm>; by mail or delivery service to Advisory Committee Oversight and Management Staff, 10903 New Hampshire Ave., Bldg. 32, Rm. 5103, Silver Spring, MD 20993-0002; or by Fax: 301-847-8640. Additional information about becoming a member of an FDA advisory committee can also be obtained by visiting FDA's website at <https://www.fda.gov/AdvisoryCommittees/default.htm>.

FOR FURTHER INFORMATION CONTACT: For questions relating to participation in the selection process: Kimberly Hamilton, Advisory Committee Oversight and Management Staff (ACOMS), Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 5103, Silver Spring, MD 20993-0002, 301-796-8220, email: kimberly.hamilton@fda.hhs.gov.

For questions relating to specific advisory committees or panels, contact the appropriate contact person listed in table 1.

TABLE 1—ADVISORY COMMITTEE CONTACTS

Contact person	Committee/panel
Moon Hee V. Choi, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, Rm. 2434, Silver Spring, MD 20993-0002, 301-796-2894, email: MoonHee.Choi@fda.hhs.gov .	Anesthetic and Analgesic Drug Products Advisory Committee.
Lauren Tesh, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, Rm. 2426, Silver Spring, MD 20993-0002, 301-796-2721, email: Lauren.Tesh@fda.hhs.gov .	Antimicrobial Advisory Committee.
Kalyani Bhatt, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, Rm. 2438, Silver Spring, MD 20993-0002, 301-796-9005, email: Kalyani.Bhatt@fda.hhs.gov .	Bone, Reproductive and Urological Drugs Advisory Committee.
Jennifer Shepherd, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, Rm. 2434, Silver Spring, MD 20993-0002, 301-796-4043, email: Jennifer.Shepherd@fda.hhs.gov .	Cardiovascular and Renal Drugs Advisory Committee, Medical Imaging Advisory Committee.
Cindy Chee, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, Rm. 2430, Silver Spring, MD 20993-0002, 301-796-0889, email: Cindy.Chee@fda.hhs.gov .	Pulmonary-Allergy Drugs Advisory Committee.
Patricio Garcia, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. G610, Silver Spring, MD 20993-0002, 301-796-6875, email: Patricio.Garcia@fda.hhs.gov .	Clinical Chemistry and Clinical Toxicology Devices Panel, Gastroenterology and Urology Devices Panel.
Evella Washington, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. G640, Silver Spring, MD 20993-0002, 301-796-6683, email: Evella.Washington@fda.hhs.gov .	Ear, Nose and Throat Devices Panel.
Joan Adams-White, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm., 5572, Silver Spring, MD 20993-0002, 301-796-5421, email: Joannie.Adams-White@fda.hhs.gov .	Medical Devices Dispute Resolution Panel.
Aden Asefa, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. G642, Silver Spring, MD 20993-0002, 301-796-0400, email: Aden.Asefa@fda.hhs.gov .	Microbiology Devices Panel, Radiology Devices Panel.
Sara Anderson, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. G616 Silver Spring, MD 20993-0002, 301-796-7047, email: Sara.Anderson@fda.hhs.gov .	Orthopaedic and Rehabilitation Devices Panel, Radiological Devices Panel.

SUPPLEMENTARY INFORMATION: FDA is or nonvoting consumer representatives requesting nominations for voting and/ for the vacancies listed in table 2:

TABLE 2—COMMITTEE DESCRIPTIONS, TYPE OF CONSUMER REPRESENTATIVE VACANCY, AND APPROXIMATE DATE NEEDED

Committee/panel/areas of expertise needed	Type of vacancy	Approximate date needed
Anesthetic and Analgesic Drug Products Advisory Committee—Knowledgeable in the fields of anesthesiology, surgery, epidemiology or statistics, and related specialties.	1—Voting	Immediately.
Antimicrobial Advisory Committee—Knowledgeable in the fields of infectious disease, internal medicine, microbiology, pediatrics, epidemiology or statistics, and related specialties.	1—Voting	Immediately.
Bone, Reproductive and Urological Drugs Advisory Committee—Knowledgeable in the fields of obstetrics, gynecology, endocrinology, pediatrics, epidemiology or statistics and related specialties.	1—Voting	Immediately.
Cardiovascular and Renal Drugs Advisory Committee—Knowledgeable in the fields of cardiology, hypertension, arrhythmia, angina, congestive heart failure, diuresis, and biostatistics.	1—Voting	July 1, 2018.
Medical Imaging Advisory Committee—Knowledgeable in the fields of nuclear medicine, radiology, epidemiology, statistics and related specialties.	1—Voting	Immediately.
Pulmonary- Allergy Drugs Advisory Committee—Knowledgeable in the fields of pulmonary medicine, allergy, clinical immunology, and epidemiology or statistics.	1—Voting	Immediately.
Clinical Chemistry and Clinical Toxicology Devices Panel—Doctors of medicine or philosophy with experience in clinical chemistry (e.g., cardiac markers), clinical toxicology, clinical pathology, clinical laboratory medicine, and endocrinology.	1—Non-Voting	Immediately.
Gastroenterology and Urology Devices Panel—Gastroenterologists, urologists and nephrologists.	1—Non-Voting	Immediately.
Radiology Devices Panel—Physicians with experience in general radiology, mammography, ultrasound, magnetic resonance, computed tomography, other radiological subspecialties and radiation oncology; scientists with experience in diagnostic devices, radiation physics, statistical analysis, digital imaging and image analysis.	1—Non-Voting	Immediately.
Ear, Nose and Throat Devices Panel—Experts in Otolologists, neurologists, audiologists.	1—Non-Voting	Immediately.

TABLE 2—COMMITTEE DESCRIPTIONS, TYPE OF CONSUMER REPRESENTATIVE VACANCY, AND APPROXIMATE DATE NEEDED—Continued

Committee/panel/areas of expertise needed	Type of vacancy	Approximate date needed
Medical Devices Dispute Resolution—Experts with broad, cross-cutting scientific, clinical, analytical or mediation skills.	1—Non-Voting	Immediately.
Microbiology Devices Panel—Clinicians with an expertise in infectious disease, e.g., pulmonary disease specialists, sexually transmitted disease specialists, pediatric infectious disease specialists, experts in tropical medicine and emerging infectious diseases, mycologists; clinical microbiologists and virologists; clinical virology and microbiology laboratory directors, with expertise in clinical diagnosis and in vitro diagnostic assays, e.g., hepatologists; molecular biologists.	1—Non-Voting	Immediately.
Orthopaedic and Rehabilitation Devices Panel—Orthopedic surgeons (joint spine, trauma, and pediatric); rheumatologists; engineers (biomedical, biomaterials, and biomechanical); experts in rehabilitation medicine, sports medicine, and connective tissue engineering; and biostatisticians.	1—Non-Voting	Immediately.

I. Functions and General Description of the Committee Duties

A. Anesthetic and Analgesic Drugs Advisory Committee

Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational human drug products for use in anesthesiology and surgery.

B. Antimicrobial Advisory Committee

Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational human drug products for use in the treatment of infectious diseases and disorders.

C. Bone, Reproductive & Urologic Drugs Advisory Committee

Reviews and evaluates data on the safety and effectiveness of marketed and investigational human drugs for use in the practice of obstetrics, gynecology, and related specialties.

D. Cardiovascular and Renal Drugs Advisory Committee

Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational human drug products for use in the treatment of cardiovascular and renal disorders.

E. Medical Imaging Advisory Committee

Reviews and evaluates data concerning the safety and effectiveness of marketed and investigational human drug products for use in diagnostic and therapeutic procedures using radioactive pharmaceuticals and contrast media used in diagnostic radiology.

F. Pulmonary-Allergy Drugs Advisory Committee

Reviews and evaluates available data concerning the safety and effectiveness of marketed and investigational human

drug products for use in the treatment of pulmonary disease and diseases with allergic and/or immunologic mechanisms.

G. Certain Panels of the Medical Devices Advisory Committee

Review and evaluate data on the safety and effectiveness of marketed and investigational devices and make recommendations for their regulation. With the exception of the Medical Devices Dispute Resolution Panel, each panel, according to its specialty area, advises on the classification or reclassification of devices into one of three regulatory categories; advises on any possible risks to health associated with the use of devices; advises on formulation of product development protocols; reviews premarket approval applications for medical devices; reviews guidelines and guidance documents; recommends exemption of certain devices from the application of portions of the Federal Food, Drug, and Cosmetic Act; advises on the necessity to ban a device; and responds to requests from the Agency to review and make recommendations on specific issues or problems concerning the safety and effectiveness of devices. With the exception of the Medical Devices Dispute Resolution Panel, each panel, according to its specialty area, may also make appropriate recommendations to the Commissioner of Food and Drugs on issues relating to the design of clinical studies regarding the safety and effectiveness of marketed and investigational devices.

The Dental Products Panel also functions at times as a dental drug panel. The functions of the dental drug panel are to evaluate and recommend whether various prescription drug products should be changed to over-the-counter status and to evaluate data and make recommendations concerning the

approval of new dental drug products for human use.

The Medical Devices Dispute Resolution Panel provides advice to the Commissioner on complex or contested scientific issues between FDA and medical device sponsors, applicants, or manufacturers relating to specific products, marketing applications, regulatory decisions and actions by FDA, and Agency guidance and policies. The Panel makes recommendations on issues that are lacking resolution, are highly complex in nature, or result from challenges to regular advisory panel proceedings or Agency decisions or actions.

II. Criteria for Members

Persons nominated for membership as consumer representatives on committees or panels should meet the following criteria: (1) Demonstrate an affiliation with and/or active participation in consumer or community-based organizations, (2) be able to analyze technical data, (3) understand research design, (4) discuss benefits and risks, and (5) evaluate the safety and efficacy of products under review. The consumer representative should be able to represent the consumer perspective on issues and actions before the advisory committee; serve as a liaison between the committee and interested consumers, associations, coalitions, and consumer organizations; and facilitate dialogue with the advisory committees on scientific issues that affect consumers.

III. Selection Procedures

Selection of members representing consumer interests is conducted through procedures that include the use of organizations representing the public interest and public advocacy groups. These organizations recommend nominees for the Agency's selection. Representatives from the consumer

health branches of Federal, State, and local governments also may participate in the selection process. Any consumer organization interested in participating in the selection of an appropriate voting or nonvoting member to represent consumer interests should send a letter stating that interest to FDA (see **ADDRESSES**) within 30 days of publication of this document.

Within the subsequent 30 days, FDA will compile a list of consumer organizations that will participate in the selection process and will forward to each such organization a ballot listing at least two qualified nominees selected by the Agency based on the nominations received, together with each nominee's current curriculum vitae or resume. Ballots must be filled out and returned to FDA within 30 days. The nominee receiving the highest number of votes ordinarily will be selected to serve as the member representing consumer interests for that particular advisory committee or panel.

IV. Nomination Procedures

Any interested person or organization may nominate one or more qualified persons to represent consumer interests on the Agency's advisory committees or panels. Self-nominations are also accepted. Nominations must include a current, complete résumé or curriculum vitae for each nominee and a signed copy of the Acknowledgement and Consent form available at the FDA Advisory Nomination Portal (see **ADDRESSES** section of this document), and a list of consumer or community-based organizations for which the candidate can demonstrate active participation.

Nominations must also specify the advisory committee(s) or panel(s) for which the nominee is recommended. In addition, nominations must also acknowledge that the nominee is aware of the nomination unless self-nominated. FDA will ask potential candidates to provide detailed information concerning such matters as financial holdings, employment, and research grants and/or contracts to permit evaluation of possible sources of conflicts of interest. Members will be invited to serve for terms up to 4 years.

FDA will review all nominations received within the specified timeframes and prepare a ballot containing the names of qualified nominees. Names not selected will remain on a list of eligible nominees and be reviewed periodically by FDA to determine continued interest. Upon selecting qualified nominees for the ballot, FDA will provide those consumer organizations that are

participating in the selection process with the opportunity to vote on the listed nominees. Only organizations vote in the selection process. Persons who nominate themselves to serve as voting or nonvoting consumer representatives will not participate in the selection process.

This notice is issued under the Federal Advisory Committee Act (5 U.S.C. app. 2) and 21 CFR part 14, relating to advisory committees.

Dated: April 5, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018-07426 Filed 4-10-18; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA-2016-D-3848]

E11(R1) Addendum: Clinical Investigation of Medicinal Products in the Pediatric Population; International Council for Harmonisation; Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a guidance for industry entitled "E11(R1) Addendum: Clinical Investigation of Medicinal Products in the Pediatric Population" (E11(R1) addendum or addendum). The guidance was prepared under the auspices of the International Council for Harmonisation (ICH), formerly the International Conference on Harmonisation. The guidance is an addendum to the guidance published in 2000 entitled "E11 Clinical Investigation of Medicinal Products in the Pediatric Population" (ICH E11 (2000)), and provides updates to the original guidance. This addendum does not alter the scope of the original guidance, which outlines an approach to the safe, efficient, and ethical study of medicinal products in the pediatric population. This addendum complements and provides clarification and current regulatory perspective on topics in pediatric drug development. The guidance is intended to provide high-level guidance on the implementation of important approaches in pediatric drug development. This harmonized addendum will help to define the current recommendations and reduce

the likelihood that substantial differences will exist among regions for the acceptance of data generated in pediatric global drug development programs and ensure timely access to medicines for children.

DATES: The announcement of the guidance is published in the **Federal Register** on April 11, 2018.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see "Written/Paper Submissions" and "Instructions").

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in "Instructions."

Instructions: All submissions received must include the Docket No. FDA-2016-D-3848 for "E11(R1) Addendum: Clinical Investigation of Medicinal Products in the Pediatric Population." Received comments will be placed in the docket and, except for those

submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- **Confidential Submissions**—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.”

Any information marked as “confidential” will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA’s posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: <https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf>.

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to <https://www.regulations.gov> and insert the docket number, found in brackets in the heading of this document, into the “Search” box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of this guidance to the Division of Drug Information, Center for Drug Evaluation and Research, Food and Drug Administration, 10001 New Hampshire Ave., Hillandale Building, 4th Floor, Silver Spring, MD 20993–0002, or the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm.

3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your requests. The guidance may also be obtained by mail by calling CBER at 1–800–835–4709 or 240–402–8010. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT:

Regarding the guidance: Lynne Yao, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Avenue, Bldg. 22, Rm. 6406, Silver Spring, MD 20993–0002, 301–796–2141; or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911. *Regarding the ICH:* Amanda Roache, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 51, Rm. 1176, Silver Spring, MD 20993–0002, 301–796–4548.

SUPPLEMENTARY INFORMATION:

I. Background

In recent years, regulatory authorities and industry associations from around the world have participated in many important initiatives to promote international harmonization of regulatory requirements under the ICH. FDA has participated in several ICH meetings designed to enhance harmonization, and FDA is committed to seeking scientifically-based harmonized technical procedures for pharmaceutical development. One of the goals of harmonization is to identify and reduce differences in technical requirements for drug development among regulatory agencies.

The ICH was established to provide an opportunity for harmonization initiatives to be developed with input from both regulatory and industry representatives. FDA also seeks input from consumer representatives and others. The ICH is concerned with harmonization of technical requirements for the registration of pharmaceutical products for human use among regulators around the world. The six founding members of the ICH are the European Commission; the European Federation of Pharmaceutical Industries Associations; FDA; the Japanese Ministry of Health, Labour, and Welfare; the Japanese Pharmaceutical Manufacturers Association; and the Pharmaceutical Research and Manufacturers of America. The Standing Members of the ICH Association include Health Canada and

Swissmedic. Any party eligible as a Member in accordance with the ICH Articles of Association can apply for membership in writing to the ICH Secretariat. The ICH Secretariat, which coordinates the preparation of documentation, operates as an international nonprofit organization, and is funded by the Members of the ICH Association.

The ICH Assembly is the overarching body of the Association and includes representatives from each of the ICH members and observers. The Assembly is responsible for the endorsement of draft guidelines and adoption of final guidelines. FDA publishes ICH guidelines as FDA guidances.

In the **Federal Register** of November 22, 2016 (81 FR 83847), FDA published a notice announcing the availability of a draft guidance entitled “E11(R1) Addendum: Clinical Investigation of Medicinal Products in the Pediatric Population.” The notice gave interested persons an opportunity to submit comments by February 21, 2017.

After consideration of the comments received and revisions to the guideline, a final draft of the guideline was submitted to the ICH Assembly and endorsed by the regulatory agencies in August 2017.

The E11(R1) addendum provides guidance on pediatric drug development and is intended to complement and provide clarification and current regulatory perspectives on topics in pediatric drug development that were originally presented in ICH E11 (2000). The addendum does not alter the scope of the original guidance, which outlines an approach to the safe, efficient, and ethical study of medicinal products in the pediatric population. In the addendum, section II (2) (ETHICAL CONSIDERATIONS), section IV (4) (AGE CLASSIFICATION AND PEDIATRIC SUBGROUPS, INCLUDING NEONATES), and section VII (7) (PEDIATRIC FORMULATIONS), supplement the content in ICH E11 (2000). Section III (3) (COMMONALITY OF SCIENTIFIC APPROACH FOR PEDIATRIC DRUG DEVELOPMENT PROGRAMS) addresses issues to aid scientific discussions at various stages of pediatric drug development in different regions. Section V (5) (APPROACHES TO OPTIMIZE PEDIATRIC DRUG DEVELOPMENT) includes enhancement to the topic of Extrapolation, and introduces Modeling and Simulation. Section VI (6) (PRACTICALITIES IN THE DESIGN AND EXECUTION OF PEDIATRIC CLINICAL TRIALS) includes discussion of feasibility, outcome assessments, and long-term clinical aspects, including

safety. These sections describe essential considerations intended to provide high-level guidance on the implementation of these approaches in pediatric drug development and have been revised based on comments received from global stakeholders.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on "E11(R1) Addendum: Clinical Investigation of Medicinal Products in the Pediatric Population." It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

II. Electronic Access

Persons with access to the internet may obtain the guidance at <https://www.regulations.gov>, <https://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm>, or <https://www.fda.gov/BiologicsBloodVaccines/GuidanceComplianceRegulatoryInformation/Guidances/default.htm>.

Dated: April 4, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018-07375 Filed 4-10-18; 8:45 am]

BILLING CODE 4164-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; 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 National Advisory General Medical Sciences Council.

The meeting will be open to the public as indicated below, with a short public comment period at the end. Attendance is limited by the 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 open session will also be videocast and can be accessed from the NIH Videocasting and Podcasting website (<http://videocast.nih.gov>).

The meeting will be closed to the public in accordance with the

provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory General Medical Sciences Council.

Date: May 24–25, 2018.

Closed: May 24, 2018, 9:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Natcher Building, Conference Rooms E1 & E2, 45 Center Drive, Bethesda, MD 20892.

Open: May 25, 2018, 8:30 a.m. to 12:00 p.m.

Agenda: For the discussion of program policies and issues; opening remarks; report of the Director, NIGMS; and other business of the Council.

Place: National Institutes of Health, Natcher Building, Conference Rooms E1 & E2, 45 Center Drive, Bethesda, MD 20892.

Contact Person: Ann A. Hagan, Ph.D., Associate Director for Extramural Activities, NIGMS, NIH, DHHS, 45 Center Drive, Room 2AN24H, MSC 6200, Bethesda, MD 20892–6200, (301) 594–4499, hagana@nigms.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.

Information is also available on the Institute's/Center's home page: <http://www.nigms.nih.gov/About/Council>, where an agenda and any additional information for the meeting will be posted when available. (Catalogue of Federal Domestic Assistance Program Nos. 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: April 5, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07396 Filed 4-10-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Frederick National Laboratory Advisory Committee to the National Cancer Institute.

The meeting will be open to the public, 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 also be videocast and can be accessed from the NIH Videocasting and Podcasting website (<http://videocast.nih.gov>).

Name of Committee: Frederick National Laboratory Advisory Committee to the National Cancer Institute.

Date: May 8, 2018.

Time: 9:00 a.m. to 5:00 p.m.

Agenda: Ongoing and new activities at the Frederick National Laboratory for Cancer Research.

Place: National Cancer Institute Shady Grove, 9609 Medical Center Drive, Conference Room TE406, Rockville, MD 20850.

Contact Person: Caron A. Lyman, Ph.D., Executive Secretary, National Cancer Institute, National Institutes of Health, 9609 Medical Center Drive, Room 7W-126, Bethesda, MD 20892, 240-276-6348, lymanca@mail.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, NCI Shady Grove has instituted stringent procedures for entrance into the NCI Shady Grove building. 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.

Information is also available on the Institute's/Center's home page: <http://deainfo.nci.nih.gov/advisory/fac/fac.htm>, where an agenda and any additional information for the meeting will be posted when available.

(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: April 5, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07390 Filed 4-10-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Initial Review Group; Neuroscience Review Subcommittee (AA-4).

Date: June 6, 2018.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute on Alcohol Abuse and Alcoholism, Conference Room T508, 5635 Fishers Lane, Rockville, MD 20851.

Contact Person: Beata Buzas, Ph.D., Scientific Review Officer, Office of Extramural Activities National Institute on Alcohol Abuse and Alcoholism, 5635 Fishers Lane, Room 2081, National Institutes of Health, Rockville, MD 20852, 301-443-0800, bbuzas@mail.nih.gov.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Initial Review Group; Biomedical Research Review Subcommittee (AA-1).

Date: June 12, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute on Alcohol Abuse and Alcoholism, 5th Floor Conference Room, 5635 Fishers Lane, Rockville, MD 20851.

Contact Person: Philippe Marmillot, Ph.D., Scientific Review Officer, Extramural Project Review Branch, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, 5635 Fishers Lane, Room 2017, Bethesda, MD 20892, 301-443-2861, marmillot@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.271, Alcohol Research Career Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Programs; 93.891, Alcohol Research Center Grants; 93.701, ARRA Related Biomedical Research and Research Support Awards, National Institutes of Health, HHS)

Dated: April 5, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07393 Filed 4-10-18; 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 the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel; NIAID Clinical Trial Implementation Cooperative Agreement (U01).

Date: May 1, 2018.

Time: 1:00 p.m. to 4:30 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: Nancy Vazquez-Maldonado, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, Room 3F52B, National Institutes of Health/NIAID, 5601 Fishers Lane, MSC 9834, Bethesda, MD 20892-9834, (240) 669-5044, nvazquez@niaid.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: April 5, 2018.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07394 Filed 4-10-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; 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 National Advisory Council on Aging.

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 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 Advisory Council on Aging.

Date: May 22-23, 2018.

Closed: May 22, 2018, 3:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, C Wing 6th Floor Conference Room 10, 9000 Rockville Pike, Bethesda, MD 20892.

Open: May 23, 2018, 8:00 a.m. to 2:00 p.m.

Agenda: Call to order and report from the Director; Discussion of future meeting dates; Consideration of minutes of last meeting; Reports from Task Force on Minority Aging Research, Working Group on Program; Council Speaker; Program Highlights

Place: National Institutes of Health, Building 31, C Wing 6th Floor Conference Room 10, 9000 Rockville Pike, Bethesda, MD 20892.

Contact Person: Robin Barr, Director, National Institute on Aging, Office of Extramural Activities, Gateway Building, 7201 Wisconsin Avenue, Bethesda, MD 20814, (301) 496-9322, barr@nia.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. Information is also available on the Institute's/Center's home page: www.nih.gov/nia/naca/, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: April 5, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07392 Filed 4-10-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Cancer Institute Special Emphasis Panel; NCI Program Project Review I (P01).

Date: April 17–18, 2018.

Time: 4:00 p.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hilton Washington/Rockville Hotel, 1750 Rockville Pike, Rockville, MD 20852.

Contact Person: Adriana Stoica, Ph.D., Scientific Review Officer, Resources and Training Review Branch, Division of Extramural Activities, National Cancer Institute, NIH, 9609 Medical Center Drive, Room 7W234, Bethesda, MD 20892-9750, 240-276-6368, Stoica2@mail.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.

(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: April 5, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07389 Filed 4-10-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting of the NHLBI Special Emphasis Panel.

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 contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Heart, Lung, and Blood Institute Special Emphasis Panel; Early Detection & Monitoring of Cardiac Injury Due to Cardiotoxicity.

Date: May 4, 2018.

Time: 12:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 6701 Rockledge Drive, Room 7186, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Keith A. Mintzer, Ph.D., Scientific Review Officer, Office of Scientific Review/DERA, National Heart, Lung, and Blood Institute, 6701 Rockledge Drive, Room 7186, Bethesda, MD 20892-7924, 301-594-7947, mintzerk@nhlbi.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: April 5, 2018.

Michelle D. Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07391 Filed 4-10-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Advancing Translational Sciences; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Advancing Translational Sciences Special Emphasis Panel; Tissue Chips in Space.

Date: May 3, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency Bethesda One, Bethesda Metro Center, The Cabinet & Judiciary Conference Rooms, 7400 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Christine A. Livingston, Ph.D., Scientific Review Officer, Office of Scientific Review, National Center for Advancing Translational Sciences (NCATS), National Institutes of Health, 6701 Democracy Blvd., Democracy 1, Room 1073, Bethesda, MD 20892, (301) 435-1348, livingsc@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.859, Pharmacology, Physiology, and Biological Chemistry Research; 93.350, B—Cooperative Agreements; 93.859, Biomedical Research and Research Training, National Institutes of Health, HHS)

Dated: April 5, 2018.

David D. Clary,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07414 Filed 4-10-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Committee on Aging Special Emphasis Panel; Second Stage Review.

Date: April 10, 2018.

Time: 12:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, Gateway Building, Suite 2W200, 7201 Wisconsin Avenue, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Jeannette L. Johnson, Ph.D., National Institutes on Aging, National Institutes of Health, 7201 Wisconsin Avenue, Suite 2W200, Bethesda, MD 20892, (301) 402-7705, johnsonj9@nia.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: April 5, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07415 Filed 4-10-18; 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 the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose

confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Allergy and Infectious Diseases Special Emphasis Panel NIAID Clinical Trial Planning Grants (R34).

Date: May 3, 2018.

Time: 1:00 p.m. to 3:00 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: Thomas F. Conway, Ph.D., Scientific Review Officer, Scientific Review Program, Division of Extramural Activities, Room 3G51, National Institutes of Health, NIAID, 5601 Fishers Lane, MSC 9823, Bethesda, MD 20892-9823, 240-507-9685, thomas.conway@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: April 5, 2018.

Natasha M. Copeland,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07395 Filed 4-10-18; 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: Center for Scientific Review Special Emphasis Panel; PAR: Adverse Drug Reaction Research.

Date: April 16, 2018.

Time: 9:00 a.m. to 12:00 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: Alexander D. Politis, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3210, MSC 7808, Bethesda, MD 20892, (301) 435-1150, politisa@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR-16-044: Image-Guided Drug Delivery (R01).

Date: April 19, 2018.

Time: 10:00 a.m. to 1:00 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: Guo Feng Xu, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5122, MSC 7854, Bethesda, MD 20892, 301-237-9870, xuguofen@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; MABS extension.

Date: April 19, 2018.

Time: 3:00 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: Craig Giroux, Ph.D., Scientific Review Officer, BST IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5150, Bethesda, MD 20892, 301-435-2204, girouxcn@csr.nih.gov.

Name of Committee: Center for Scientific Review Special Emphasis Panel; RFA-CA-17-035: Human Tumor Atlas Research Program.

Date: May 7-8, 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: Lilia Topol, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6192, MSC 7804, Bethesda, MD 20892, 301-451-0131, ltopol@mail.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: April 5, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018-07388 Filed 4-10-18; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Substance Abuse and Mental Health Services Administration****Center for Substance Abuse Treatment; Notice of Meeting**

Pursuant to Public Law 92–463, notice is hereby given that the Substance Abuse and Mental Health Services Administration's (SAMHSA's) Center for Substance Abuse Treatment (CSAT) National Advisory Council will meet on May 18, 2018, 2:00 p.m.–3:00 p.m. (EDT) in a closed teleconference meeting.

The meeting will include discussions and evaluations of grant applications reviewed by SAMHSA's Initial Review Groups, and involve an examination of confidential financial and business information as well as personal information concerning the applicants. Therefore, the meeting will be closed to the public as determined by the SAMHSA Assistant Secretary for Mental Health and Substance Use in accordance with Title 5 U.S.C. 552b(c)(4) and (6) and Title 5 U.S.C. App. 2, 10(d).

Meeting information and a roster of Council members may be obtained by accessing the SAMHSA Committee website at <http://www.samhsa.gov/about-us/advisory-councils/csat-national-advisory-council> or by contacting the CSAT National Advisory Council Designated Federal Officer; Tracy Goss (see contact information below).

Council Name: SAMHSA's Center for Substance Abuse Treatment National Advisory Council.

Date/Time/Type: May 18, 2018, 2:00 p.m.–3:00 p.m. EDT, Closed.

Place: SAMHSA, 5600 Fishers Lane, Rockville, Maryland 20857.

Contact: Tracy Goss, Designated Federal Officer, CSAT National Advisory Council, 5600 Fishers Lane, Rockville, Maryland 20857 (mail), Telephone: (240) 276–0759, Fax: (240) 276–2252, Email: tracy.goss@samhsa.hhs.gov.

Dated: April 6, 2018.

Carlos Castillo,

Committee Management Officer, SAMHSA.
[FR Doc. 2018–07493 Filed 4–10–18; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Substance Abuse and Mental Health Services Administration****Notice of Meeting for the Interdepartmental Serious Mental Illness Coordinating Committee (ISMICC)—Correction**

AGENCY: Substance Abuse and Mental Health Services Administration, HHS.

ACTION: Notice of correction.

SUMMARY: This is a correction to the meeting announcement of the Notice of Meeting for the Interdepartmental Serious Mental Illness Coordinating Committee published on the **Federal Register**, Vol. 83, No. 66/Thursday, April 5, 2018/Notices. FR Doc. 2018–06913. The notice of the meeting should have included the following statement: Members of the public can attend the meeting via telephone or webcast only, and not in person.

The Secretary of Health and Human Services (Secretary), in accordance with section 6031 of the 21st Century Cures Act, announces a meeting of the Interdepartmental Serious Mental Illness Coordinating Committee (ISMICC).

The meeting is open to the public and will include information on federal efforts related to serious mental illness (SMI) and serious emotional disturbance (SED), including data evaluation, and recommendations for action. Committee members will also discuss ISMICC member relationship to implementation workgroups, establishing the prevalence of SMI and SED, communication with non-federal organizations to engage non-federal support for ISMICC, and future meetings.

Committee Name: Interdepartmental Serious Mental Illness Coordinating Committee.

DATES: June 8, 2018/9:00 a.m.–5:00 p.m. (EDT).

ADDRESSES: The meeting will be held at the Hubert H. Humphrey Building, 200 Independence Avenue SW, Room 800, Washington, DC 20201. The meeting can be accessed via webcast at www.hhs.gov/live, or by joining the teleconference at toll-free number 1–888–928–9713, passcode 7160920.

The public comment section is scheduled for 1:00 p.m. Eastern Daylight Time (EDT), and individuals interested in submitting a comment, must notify the Designated Federal Official (DFO), Ms. Pamela Foote, on or before May 24, 2018 via email to: Pamela.Foote@samhsa.hhs.gov.

Two minutes will be allotted for each approved public comment as time permits. Written comments received in advance of the meeting will be included in the official record of the meeting.

Substantive meeting information and a roster of Committee members is available at the Committee's website <https://www.samhsa.gov/about-us/advisory-councils/smi-committee>.

FOR FURTHER INFORMATION CONTACT: Pamela Foote, Substance Abuse and Mental Health Services Administration, 5600 Fishers Lane, 14E53C, Rockville, MD 20857; telephone: 240–276–1279; email: pamela.foote@samhsa.hhs.gov.

SUPPLEMENTARY INFORMATION:**I. Background and Authority**

The ISMICC was established on March 15, 2017, in accordance with section 6031 of the 21st Century Cures Act, and the Federal Advisory Committee Act, 5 U.S.C. App., as amended, to report to the Secretary, Congress, and any other relevant federal department or agency on advances in serious mental illness (SMI) and serious emotional disturbance (SED), research related to the prevention of, diagnosis of, intervention in, and treatment and recovery of SMIs, SEDs, and advances in access to services and support for adults with SMI or children with SED. In addition, the ISMICC will evaluate the effect federal programs related to serious mental illness have on public health, including public health outcomes such as (A) rates of suicide, suicide attempts, incidence and prevalence of SMIs, SEDs, and substance use disorders, overdose, overdose deaths, emergency hospitalizations, emergency room boarding, preventable emergency room visits, interaction with the criminal justice system, homelessness, and unemployment; (B) increased rates of employment and enrollment in educational and vocational programs; (C) quality of mental and substance use disorders treatment services; or (D) any other criteria as may be determined by the Secretary. Finally, the ISMICC will make specific recommendations for actions that agencies can take to better coordinate the administration of mental health services for adults with SMI or children with SED. Not later than 1 (one) year after the date of enactment of the 21st Century Cures Act, and 5 (five) years after such date of enactment, the ISMICC shall submit a report to Congress and any other relevant federal department or agency.

II. Membership

This ISMICC consists of federal members listed below or their

designees, and non-federal public members.

Federal Membership: Members include, The Secretary of HHS; The Assistant Secretary for Mental Health and Substance Use; The Attorney General; The Secretary of the Department of Veterans Affairs; The Secretary of the Department of Defense; The Secretary of the Department of Housing and Urban Development; The Secretary of the Department of Education; The Secretary of the Department of Labor; The Administrator of the Centers for Medicare and Medicaid Services; and The Commissioner of the Social Security Administration.

Non-federal Membership: Members include, 14 non-federal public members appointed by the Secretary, representing psychologists, psychiatrists, social workers, peer support specialists, and other providers, patients, family of patients, law enforcement, the judiciary, and leading research, advocacy, or service organizations.

The ISMICC is required to meet twice per year.

Dated: April 6, 2018.

Carlos Castillo,

Committee Management Officer.

[FR Doc. 2018-07479 Filed 4-10-18; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer at (240) 276-1243.

Comments are invited on: (a) Whether the proposed collections of information are 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; (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.

Proposed Project: Survey of State Underage Drinking Prevention Policies and Practices—(OMB No. 0930-0316)—Revision

The Sober Truth on Preventing Underage Drinking Act (the “STOP Act”) (Pub. L. 109-422, reauthorized in 2016 by Pub. L. 114-255) states that the “Secretary [of Health and Human Services] shall . . . annually issue a report on each state’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” The Secretary has delegated responsibility for this report to SAMHSA. Therefore, SAMHSA has developed a *Survey of State Underage Drinking Prevention Policies and Practices* (the “*State Survey*”) to provide input for the state-by-state report on prevention and enforcement activities related to underage drinking component of the *Annual Report to Congress on the Prevention and Reduction of Underage Drinking* (“*Report to Congress*”).

The STOP Act also requires the Secretary to develop “a set of measures to be used in preparing the report on best practices” and to consider categories including but not limited to the following:

Category #1: Sixteen specific underage drinking laws/regulations enacted at the state level (*e.g.*, laws prohibiting sales to minors; laws related to minors in possession of alcohol). Note that ten additional policies have been added to the Report to Congress pursuant to Congressional appropriations language or the Secretary’s authority granted by the STOP Act;

Category #2: Enforcement and educational programs to promote compliance with these laws/regulations;

Category #3: Programs targeted to youths, parents, and caregivers to deter underage drinking and the number of individuals served by these programs;

Category #4: The amount that each state invests, per youth capita, on the prevention of underage drinking broken into five categories: (a) Compliance check programs in retail outlets; (b) Checkpoints and saturation patrols that include the goal of reducing and deterring underage drinking; (c) Community-based, school-based, and higher-education-based programs to prevent underage drinking; (d)

Underage drinking prevention programs that target youth within the juvenile justice and child welfare systems; and (e) Any other state efforts or programs that target underage drinking.

Congress’ purpose in mandating the collection of data on state policies and programs through the *State Survey* is to provide policymakers and the public with otherwise unavailable but much needed information regarding state underage drinking prevention policies and programs. SAMHSA and other Federal agencies that have underage drinking prevention as part of their mandate use the results of the *State Survey* to inform federal programmatic priorities, as do other stakeholders, including community organizations. The information gathered by the *State Survey* has established a resource for state agencies and the general public for assessing policies and programs in their own state and for becoming familiar with the programs, policies, and funding priorities of other states.

Because of the broad scope of data required by the STOP Act, SAMHSA relies on existing data sources where possible to minimize the survey burden on the states. SAMHSA uses data on state underage drinking policies from the National Institute of Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS), an authoritative compendium of state alcohol-related laws. The APIS data is augmented by SAMHSA with original legal research on state laws and policies addressing underage drinking to include all of the STOP Act’s requested laws and regulations (Category #1 of the four categories included in the STOP Act, as described above, page 2).

The STOP Act mandates that the *State Survey* assess “best practices” and emphasize the importance of building collaborations with federally recognized tribal governments (“tribal governments”). It also emphasizes the importance at the federal level of promoting interagency collaboration and to that end established the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD). SAMHSA has determined that to fulfill the Congressional intent, it is critical that the *State Survey* gather information from the states regarding the best practices standards that they apply to their underage drinking programs, collaborations between states and tribal governments, and the development of state-level interagency collaborations similar to ICCPUD.

SAMHSA has determined that data on Categories #2, #3, and #4 mandated in the STOP Act (as listed on page 2) (enforcement and educational programs;

programs targeting youth, parents, and caregivers; and state expenditures) as well as states' best practices standards, collaborations with tribal governments, and state-level interagency collaborations *are not available from secondary sources* and therefore must be collected from the states themselves. The *State Survey* is therefore necessary to fulfill the Congressional mandate found in the STOP Act. Furthermore, the uniform collection of these data from the states over the last seven years has created a valuable longitudinal dataset, and the *State Survey's* renewal is vital to maintaining this resource.

The *State Survey* is a single document that is divided into four sections, as follows:

(1) Enforcement programs to promote compliance with underage drinking laws and regulations (as described in Category #2 above, page 2);

(2) Programs and media campaigns targeted to youth, parents, and caregivers to deter underage drinking (as described in Category #3 above, page 2);

(3) State interagency collaboration to implement prevention programs and media campaigns, state best-practice standards, and collaborations with tribal governments (as described above, page 4);

(4) The amount that each state invests on the prevention of underage drinking in the categories specified in the STOP Act (see description of Category #4, above, page 2) and descriptions of any dedicated fees, taxes, or fines used to raise these funds.

The number of questions in each section is as follows:

Section 1:	38 questions
Section 2A:	15 questions
Section 2B:	12 questions
Section 2C:	10 questions
Section 2D:	10 questions
TOTAL:	85 questions

Note that the number of questions in Section 2A is an estimate. This section asks states to identify up to 10 programs that are specific to underage drinking prevention. For each program identified there are three follow-up questions. Based on the average number of programs per state reported in the Survey's seven year history, it is anticipated that states will report an average of five programs for a total of 15 questions.

It is anticipated that most respondents will actually respond to only a subset of this total. The *Survey* is designed with "skip logic," which means that many questions will only be directed to a subset of respondents who report the

existence of particular programs or activities.

This latest version of the *Survey* has been revised as follows:

1. Part 2, Section A: Programs

a. A question about underage drinking prevention programs has been eliminated. Previously, states were asked to define each program by whether it was aimed at the "general population" or a "specific countable population (*e.g.*, at-risk high school students)." This question was not misinterpreted by some respondents, leading to inconsistent data. It was not uncommon for states to provide specific population numbers for a program they had previously defined as being aimed at the general population. For this reason, it is being eliminated.

b. Questions about the specific number of different populations (youth, parents, and caregivers) served by each prevention program have been reformatted as follows:

i. Definitions of each population category have been deleted from the introduction to Part 2, Section A and have been incorporated into the subsequent questions about each program, making it easier for respondents to answer these questions without referring back to the introduction.

ii. For the sake of efficiency, three separate questions about type of population served by each program have been collapsed into one question.

c. References to "media campaigns" have been added to the introduction of this section to encourage respondents to include these among the prevention programs listed in their responses. As noted in the following description to changes in Part 2, Section B, the survey is being amended to evaluate awareness of, and participation in the national media campaign mandated by the STOP Act.

2. Part 2, Section B: Collaborations and Best Practices

a. New questions about the national media campaign to reduce underage drinking aimed at adults (as mandated by the STOP Act) have been added. The questions are intended to:

i. Evaluate awareness of and participation in the national media campaign, "Talk. They Hear You." (TTHY), including questions about the commitment of state resources and funding to this effort. The STOP Act requires evaluation of the national media campaign, which is largely conducted by other survey instruments. However, adding a question on the

campaign here is an efficient way to gather state-level data for the analysis.

ii. Determine whether the states participate in other media campaigns intended to reduce underage drinking.

iii. Expand the scope of the *Survey* to include social marketing or counter-advertising efforts in the effort to reduce underage drinking. Currently, the *Survey* includes a question about whether states have programs to measure or reduce youth exposure to alcohol advertising and marketing. This question will remain, but the new questions will capture proactive efforts to counter this advertising and marketing.

No additional time burden should be placed on the respondents, as the added questions are balanced by the deletion of others, with a small net reduction in the total number of questions. All questions continue to ask only for readily available data.

To ensure that the *State Survey* obtains the necessary data while minimizing the burden on the states, SAMHSA has conducted a lengthy and comprehensive planning process. It sought advice from key stakeholders (as mandated by the STOP Act) including hosting multiple stakeholders meetings, conducting two field tests with state officials likely to be responsible for completing the *State Survey*, and investigating and testing various *State Survey* formats, online delivery systems, and data collection methodologies.

Based on these investigations, SAMHSA collects the required data using an online survey data collection platform (SurveyMonkey). Links to the four sections of the survey are distributed to states via email. The *State Survey* is sent to each state governor's office and the Office of the Mayor of the District of Columbia. Based on the experience from the last seven years of administering the *State Survey*, it is anticipated that the state governors will designate staff from state agencies that have access to the requested data (typically state Alcohol Beverage Control [ABC] agencies and state Substance Abuse Program agencies). SAMHSA provides both telephone and electronic technical support to state agency staff and emphasizes that the states are only expected to provide data that is readily available and are not required to provide data that has not already been collected. The burden estimate below takes into account these assumptions.

The estimated annual response burden to collect this information is as follows:

Instrument	Number of respondents	Responses/ respondent	Burden/ response (hrs)	Annual burden (hrs)
State Questionnaire	51	1	17.7	902.7

Send comments to Summer King, SAMHSA Reports Clearance Officer, Room 15E57-B, 5600 Fishers Lane, Rockville, MD 20857 or email her a copy at summer.king@samhsa.hhs.gov. Written comments should be received by June 11, 2018.

Summer King,
Statistician.

[FR Doc. 2018-07438 Filed 4-10-18; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF HOMELAND SECURITY

Customs and Border Protection

Accreditation and Approval of Intertek USA, Inc. (Jacksonville, FL), as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc.

(Jacksonville, FL), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (Jacksonville, FL), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of September 29, 2017.

DATES: Intertek USA, Inc. (Jacksonville, FL) was accredited and approved, as a commercial gauger and laboratory as of September 29, 2017. The next triennial inspection date will be scheduled for September 2020.

FOR FURTHER INFORMATION CONTACT: Dr. Justin Shey, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 1708 Marshall Street, Jacksonville,

FL 32206 has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Intertek USA, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Properties Data.
12	Calculations.
17	Marine Measurement.

Intertek USA, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-08	D 86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27-11	D 445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27-48	D 4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27-57	D 7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27-58	D 5191	Standard Test Method for Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: April 3, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018-07428 Filed 4-10-18; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOMELAND SECURITY

Customs and Border Protection

Accreditation and Approval of Intertek USA, Inc. (Carteret, NJ) as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc. (Carteret, NJ), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (Carteret, NJ), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of October 25, 2017.

DATES: Intertek USA, Inc. (Carteret, NJ) was approved and accredited as a commercial gauger and laboratory as of October 25, 2017. The next triennial inspection date will be scheduled for October 2020.

FOR FURTHER INFORMATION CONTACT: Christopher J. Mocella, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 1000 Port Carteret Dr., Building C, Carteret, NJ 07008 has been approved to gauge petroleum and certain petroleum products and accredited to test

petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Intertek USA, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
1	Vocabulary.
3	Tank Gauging.
7	Temperature Determination.

API chapters	Title
8	Sampling.
12	Calculations.
17	Maritime Measurement.

Intertek USA, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-01	D287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27-04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-07	D4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27-08	D86	Standard Test Method for Distillation of Petroleum Products.
27-11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-46	D5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27-48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27-50	D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.
27-53	D2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27-58	D5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).
Pending	D1319	Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption.
Pending	D2699	Octane Number of Spark-Ignition Engine Fuel.
Pending	D2700	Motor Octane Number of Spark-Ignition Engine Fuel.
Pending	D3606	Standard Test Method for Determination of Benzene and Toluene in Finished Motor and Aviation Gasoline by Gas Chromatography.
Pending	D5599	Standard Test Method for Determination of Oxygenates in Gasoline by Gas Chromatography and Oxygen Selective Flame Ionization Detection.
Pending	D5769	Determination of Benzene, Toluene, and Total Aromatics in Finished Gasolines by Gas Chromatography/Mass Spectrometry.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: April 4, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018-07431 Filed 4-10-18; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Accreditation and Approval of Intertek USA, Inc. (Signal Hill, CA) as a Commercial Gauger and Laboratory

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc. (Signal Hill, CA), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (Signal Hill, CA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of June 6, 2017.

DATES: Intertek USA, Inc. (Signal Hill, CA) was approved and accredited as a commercial gauger and laboratory as of June 6, 2017. The next triennial

inspection date will be scheduled for June 2020.

FOR FURTHER INFORMATION CONTACT: Christopher J. Mocella, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 1941 Freeman Ave., Suite A, Signal Hill, CA 90755, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Intertek USA, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank gauging.

API chapters	Title	API chapters	Title
7	Temperature determination.	17	Maritime measurement.
8	Sampling.		
12	Calculations.		

Intertek USA, Inc., is accredited for the following laboratory analysis

procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27-04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27-06	D473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-46	D5002	Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer.
27-48	D4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: April 4, 2018.

James D. Sweet,

Acting Executive Director, Laboratories and Scientific Services Directorate.

[FR Doc. 2018-07432 Filed 4-10-18; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-6001-N-14]

60-Day Notice of Proposed Information Collection: HUD Multifamily Energy Assessment

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:* June 11, 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:

Harry Messner, Office of Asset Management and Portfolio Oversight, Department of Housing, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email Harry.Messner@hud.gov or telephone 202-402-2626. This is not a toll-free number. Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

Copies of available documents submitted to OMB may be obtained from Mr. Messner.

SUPPLEMENTARY INFORMATION: This notice informs the public that HUD is seeking approval from OMB for the information collection described in Section A.

A. Overview of Information Collection

Title of Information Collection: HUD Multifamily Energy Assessment.

OMB Approval Number: 2502-0568.

Type of Request: Extension of a currently approved collection.

Form Number: HUD-9614 and Certification of Compliance.

Description of the Need for the Information and Proposed Use: The purpose of this information collection is to assist owners of multifamily housing projects with assessing energy needs in an effort to reduce energy costs and improve energy conservation.

Respondents: Business and Other for profit.

Estimated Number of Respondents: 19,079.

Estimated Number of Responses: 19,079.

Frequency of Response: 1.

Average Hours per Response: 8 hours.

Total Estimated Burdens: 99,861.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: January 5, 2018.

Dana Wade,

General Deputy Assistant Secretary for Housing.

Editorial note: The Office of the Federal Register received this notice on April 6, 2018. [FR Doc. 2018-07485 Filed 4-10-18; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-7001-N-04]

30-Day Notice of Proposed Information Collection: Restrictions on Assistance to Noncitizens

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: HUD submitted the proposed information collection requirement described below to the Office of Management and Budget (OMB) for review, in accordance with the Paperwork Reduction Act. The purpose

of this notice is to allow for 30 days of public comment.

DATES: *Comments Due Date:* May 11, 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: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax:202-395-5806, Email: *OIRA Submission@omb.eop.gov*.

FOR FURTHER INFORMATION, CONTACT: Colette Pollard, Reports Management Officer, QMAC, Department of Housing and Urban Development, 451 7th Street SW, Washington, DC 20410; email *Colette.Pollard@hud.gov*, or telephone 202-402-3400. This is not a toll-free number. Person 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. The **Federal Register** notice

that solicited public comment on the information collection for a period of 60 days was published on October 11, 2017 at 82 FR 47239.

A. Overview of Information Collection

Title of Information Collection: Restrictions on Assistance to Noncitizens.

OMB Approved Number: 2501-0014.

Type of Request: Reinstatement without change of currently approved collection.

Form Number: HUD-9886, HUD-9886-ARA, HUD-9886-CAM, HUD-9886-CHI, HUD-9886-CRE, HUD-9886-FRE, HUD-9886-HMO, HUD-9886-KOR, HUD-9886-RUS, HUD-9886-SPA, HUD-9886-VIE.

Description of the need for the information and proposed use: HUD is prohibited from making financial assistance available to other than citizens or persons of eligible immigration status. This is a request for a reinstatement of the current approval for HUD to require a declaration of citizenship or eligible immigration status from individuals seeking certain housing assistance.

Respondents (i.e., affected public): Individuals or households, State, Local, or Tribal Government.

REPORTING BURDEN

Information collection	Number of respondents	Frequency of response	Responses per annum	Burden hour per response	Annual burden hours	Hourly cost per response	Annual cost
New tenant admissions in Public & Indian Housing and Section 8 Programs**	4,055	213	863,715.00	0.16	138,194.40	\$4.80	\$663,333.12
Annual recertification of tenants' eligible immigration status in Public & Indian Housing and Section 8 Programs**	4,055	7	28,385.00	0.08	2,270.80	2.40	5,449.92
					140,681		668,783.04

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 30, 2018.

Colette Pollard,

Department Reports Management Officer, Office of the Chief Information Officer.

[FR Doc. 2018-07486 Filed 4-10-18; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R4-ES-2018-N021; FXES11140400000-189-FF04E00000]

Endangered Species Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (ESA) prohibits activities with listed species unless a Federal permit is issued

that allows such activities. The ESA requires that we invite public comment before issuing these permits.

DATES: We must receive written data or comments on the applications at the address given in **ADDRESSES** by May 11, 2018.

ADDRESSES: Reviewing Documents: Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice (see **DATES**): U.S. Fish and Wildlife Service Regional Office, Ecological Services, 1875 Century Boulevard, Atlanta, GA 30345 (Attn: Karen Marlowe, Permit Coordinator).

Submitting Comments: If you wish to comment, you may submit comments by any one of the following methods:

- *U.S. mail or hand-delivery:* U.S. Fish and Wildlife Service’s Regional Office (see above).
- *Email:* permitsR4ES@fws.gov.

Please include your name and return address in your email message. If you do not receive a confirmation from the U.S. Fish and Wildlife Service that we have received your email message, contact us directly at the telephone number listed in **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT: Karen Marlowe, Permit Coordinator, 404–679–7097 (telephone) or 404–679–7081 (fax).

SUPPLEMENTARY INFORMATION: We invite review and comment from local, State, and Federal agencies and the public on applications we have received for permits to conduct certain activities with endangered and threatened species under section 10(a)(1)(A) of the

Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17. With some exceptions, the ESA prohibits activities with listed species unless a Federal permit is issued that allows such activities. The ESA requires that we invite public comment before issuing these permits.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. 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.

PERMIT APPLICATIONS

Permit application No.	Applicant	Species/Numbers	Location	Activity	Type of take	Permit action
TE 37490B-1	Melissa Littrell, Lexington, KY.	Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), northern long-eared bat (<i>M. septentrionalis</i>).	Alabama, Arkansas, Georgia, Illinois, Indiana, Kentucky, Mississippi, Missouri, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia.	Presence/absence surveys.	Capture with mist nets or harp traps, handle, identify, collect hair samples, swab, band, radio-tag, and wing-punch.	Renewal.
TE 37492B-1	Anthony Grow, Memphis, TN.	Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), northern long-eared bat (<i>M. septentrionalis</i>).	Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.	Presence/absence surveys.	Enter hibernacula, capture with mist nets or harp traps, handle, identify, band, and radio-tag.	Renewal.
TE 37663B-1	Rebecca Ijames, Central City, KY.	Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), northern long-eared bat (<i>M. septentrionalis</i>).	Indiana, Kentucky, Missouri, Ohio, and Tennessee.	Presence/absence surveys.	Capture with mist nets, handle, identify, band, and radio-tag.	Renewal.

PERMIT APPLICATIONS—Continued

Permit application No.	Applicant	Species/Numbers	Location	Activity	Type of take	Permit action
TE 022468-5	Endangered Species Branch, Department of Defense, Ft. Bragg, NC.	Red-cockaded woodpecker (<i>Picoides borealis</i>).	North Carolina	Population management and monitoring.	Capture, band, construct, and monitor artificial nest cavities and restrictors, and translocate.	Renewal.
TE 119937-4	Susan Loeb, U.S. Forest Service, Clemson, SC.	Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), northern long-eared bat (<i>M. septentrionalis</i>).	Alabama, Arkansas, Georgia, Kentucky, Missouri, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia.	Presence/absence surveys, studies to document habitat use, and population monitoring.	Enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, collect hair samples, band, radio-tag, light-tag, and wing-punch.	Renewal.
TE 21809A-2	Monica Folk, Kissimmee, FL.	Red-cockaded woodpecker (<i>Picoides borealis</i>), Florida scrub jay (<i>Aphelocoma coerulescens</i>).	Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, North Carolina, and South Carolina.	Population management and monitoring.	Red-cockaded woodpecker: Capture, band, construct, and monitor artificial nest cavities and restrictors, and translocate; Florida scrub jay: Capture, band, and monitor nests.	Renewal and Amendment.
TE 48049B-1	Kathryn Cunningham, Garner, NC.	Indiana bat (<i>Myotis sodalis</i>), northern long-eared bat (<i>M. septentrionalis</i>).	Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.	Presence/absence surveys and population monitoring.	Enter hibernacula, salvage dead bats, capture with mist nets or harp traps, handle, identify, band, and radio tag.	Renewal.
TE 73104C-0	Clyde Sorenson, North Carolina State University, Raleigh, NC.	<i>Rhus michauxii</i> (Michaux's sumac), <i>Lysimachia asperulaefolia</i> (rough-leaved loosestrife), <i>Schwalbea americana</i> (American chaffseed).	Fort Bragg and Camp Mackall, North Carolina.	Pollination ecology, genetic diversity, seed set, and viability studies.	Remove and reduce to possession (collect) stems, leaves, flowers, pollen, nectar, inflorescences, and seeds.	New
TE 088889-3	The Nature Conservancy, Kissimmee, FL.	Red-cockaded woodpecker (<i>Picoides borealis</i>), Florida scrub jay (<i>Aphelocoma coerulescens</i>).	Disney Wilderness Preserve, Florida.	Population management and monitoring.	Red-cockaded woodpecker: Capture, band, construct, and monitor artificial nest cavities and restrictors, and translocate; Florida scrub jay: Capture, band, and monitor nests.	Renewal.

PERMIT APPLICATIONS—Continued

Permit application No.	Applicant	Species/Numbers	Location	Activity	Type of take	Permit action
TE 108990-4	Ronald Spears, Littleton, CO.	Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), northern long-eared bat (<i>M. septentrionalis</i>).	Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.	Presence/absence surveys.	Enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, band, and radio tag.	Renewal.
TE 237548-3	Tom Counts, Tuscumbia, AL.	Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), northern long-eared bat (<i>M. septentrionalis</i>).	Alabama	Presence/absence surveys, studies to document habitat use, and population monitoring.	Enter hibernacula or maternity roost caves, salvage, capture with mist nets or harp traps, handle, identify, collect hair samples, band, radio-tag, light-tag, and wing-punch.	Renewal.
TE 73593C-0	Cody Parks, Rock Hill, SC.	Northern long-eared bat (<i>Myotis septentrionalis</i>).	Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.	Presence/absence surveys.	Capture with mist nets, handle, identify, band, and radio-tag.	New.
TE 237549-2	Cory Holliday, Gainesboro, TN.	Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), and northern long-eared bat (<i>M. septentrionalis</i>).	Tennessee	Presence/absence surveys, studies to document habitat use, population monitoring, and white-nose syndrome surveillance.	Enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, collect hair samples, band, radio-tag, light-tag, swab, and wing-punch.	Renewal and Amendment.

PERMIT APPLICATIONS—Continued

Permit application No.	Applicant	Species/Numbers	Location	Activity	Type of take	Permit action
TE 65550A-2	Dale Gawlik, Florida Atlantic University, Boca Raton, FL.	American wood stork (<i>Mycteria americana</i>).	Florida	Research on differences in nestling health and survival based upon prey selection.	Capture, band, and collect feathers.	Amendment.
TE 27608B-1	McGehee Engineering Corp., Jasper, AL.	Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), and northern long-eared bat (<i>M. septentrionalis</i>).	Alabama	Presence/absence surveys and population monitoring.	Enter hibernacula, capture with mist nets or harp traps, handle, identify, band, and radio-tag.	Renewal.

Authority: We provide this notice under section 10(c) of the ESA.

Todd Hopkins,

Acting Assistant Regional Director, Ecological Services, Southeast Region.

[FR Doc. 2018-07434 Filed 4-10-18; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R6-ES-2017-N171;
FXES11130600000-178-FF06E00000]

U.S. Endangered Species; Receipt of Recovery Permit Application

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit application; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on an application for a permit to conduct activities intended to enhance the propagation or survival of an endangered species. With some exceptions, the Endangered Species Act (ESA) prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA also requires that we invite public comment before issuing these permits.

DATES: We must receive your written comments by May 11, 2018.

ADDRESSES: *Document availability:* The application, as well as any comments and other materials that we receive, will be available for public inspection in hard copy for viewing by appointment between 8 a.m. and 4 p.m. Monday through Friday, except Federal holidays, at Ecological Services, U.S. Fish and Wildlife Service, 134 Union Blvd., Suite 645, Lakewood, CO 80228; telephone 303-236-4224.

Submitting comments: You may submit comments by one of the following methods. Please specify the

applicant's name and the application number (TE59243C-0).

- *Email:* permitsR6ES@fws.gov.

Please refer to the permit number (Application No. TE59243C-0) in the subject line of your email message.

- *U.S. mail:* Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 25486-DFC, Denver, CO 80225.

- *Hand-delivery, Pickup, or Viewing:* Call 303-236-4224 to make an appointment during regular business hours at 134 Union Blvd., Suite 645, Lakewood, CO 80228.

FOR FURTHER INFORMATION CONTACT: Kathy Konishi, Recovery Permits Coordinator, Ecological Services, 303-236-4224 (phone); permitsR6ES@fws.gov (email).

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service, invite the public to comment on an application for a permit to conduct activities intended to promote recovery of a species that is listed as endangered under the Endangered Species Act (16 U.S.C. 1531 et seq.; ESA). The ESA and our implementing regulations in part 17 of title 50 of the Code of Federal Regulations (CFR) provide for the issuance of such permits and require that we invite public comment before issuing permits for activities involving endangered species.

Background

The ESA prohibits certain activities with endangered and threatened species unless authorized by a Federal permit. A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for

endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Application Available for Review and Comment

We invite local, State, and Federal agencies, Tribes, and the public to comment on the following application:

Permit Application Number TE59243C-0

Applicant: Revive and Restore, Sausalito, CA.

The applicant requests a permit to conduct "Phase 1" of a multi-phase process to generate disease-resistant black-footed ferrets (*Mustela nigripes*). This phase would involve research in laboratories located in North Rose, NY, and San Diego, CA. The studies aim to develop, test, and optimize model cisgenic and novel disease-resistance pathways in the black-footed ferret, both *in vitro* and *in vivo*, leveraging domestic ferret resources for comparative genomics, comparative proteomics, and interspecies somatic cell nuclear transfer (iSCNT) reproductive techniques for the purpose of enhancing the species' survival.

Integration of genetically modified black-footed ferrets into wild populations would require careful execution and constitutes "Phase 2" of the long-term program.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. If you submit a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review; however, we cannot guarantee that we will be able to do so.

Contents of Public Comments

Please make your comments as specific as possible and explain the basis for your comments. Include sufficient information to allow us to authenticate any scientific or commercial data you include.

The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) Those that include citations to, and analyses of, the applicable laws and regulations.

Next Steps

If we decide to issue a permit to the applicant listed in this notice, we will publish a notice in the **Federal Register**.

Authority: We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)

Michael Thabault,

Assistant Regional Director, Mountain-Prairie Region.

[FR Doc. 2018-07446 Filed 4-10-18; 8:45 am]

BILLING CODE 4333-15-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[189A2100DD/AAKC001030/
AOA501010.999900]

Proclaiming Certain Lands as Reservation for the Sault Ste. Marie Tribe of Chippewa Indians, Michigan

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice informs the public that the Principal Deputy Assistant Secretary—Indian Affairs, exercising the authority of the Assistant Secretary—Indian Affairs, proclaimed approximately 79.54 acres, more or less, an addition to the reservation of the Sault Ste. Marie Tribe of Chippewa Indians, Michigan on March 12, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Sharlene M. Round Face, Bureau of Indian Affairs, Division of Real Estate Services, 1849 C Street NW, MS-4642-MIB, Washington, DC 20240, telephone (202) 208-3615.

SUPPLEMENTARY INFORMATION: This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by part 209 of the Departmental Manual.

A proclamation was issued according to the Act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 5110) for the lands described below. These lands were proclaimed to

be part of the Sault Ste. Marie Tribe of Chippewa Indians, Michigan Reservation in Mackinac County, Michigan.

Sault Ste. Marie Tribe of Chippewa Indians, Michigan Reservation

1 Parcel—Michigan Meridian, Mackinac County, Michigan

Legal Description Containing 79.54 Acres, More or Less

Brown Parcel 469-T-38

Lot 2, Section 19, Township 41 North, Range 3 West and the South ½ of the Southwest ¼ of said Section 19, Township 41 North, Range 3 West, lying Southerly of a line described as beginning at a point 650 feet Northerly along the centerline of Mackinac Trail and South line of Section 19; thence Northeasterly to the Southeast corner of the Northwest ¼ of the Southwest ¼ of Section 19, Township 41 North, Range 3 West, Michigan Meridian, Michigan. Containing 79.54 acres, more or less.

The above-described lands contain a total of 79.54 acres, more or less, which are subject to all valid rights, reservations, rights-of-way, and easements of record.

This proclamation does not affect title to the lands described above, nor does it affect any valid existing easements for public roads, highways, public utilities, railroads, pipelines, or any other valid easements or rights-of-way or reservations of record.

Dated: March 12, 2018.

John Tahsuda,

Principal Deputy Assistant Secretary—Indian Affairs Exercising the Authority of the Assistant Secretary—Indian Affairs.

[FR Doc. 2018-07475 Filed 4-10-18; 8:45 am]

BILLING CODE 4337-15-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO350000 1440000 PN0000; OMB
Control Number 1004-0029]

Agency Information Collection Activities; Color-of-Title Application

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before June 11, 2018.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to the U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240, Attention: Jean Sonneman; or by email to jesonnem@blm.gov. Please reference OMB Control Number 1004-0029 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Pamela Ridley by email at pridley@blm.gov or by telephone at (202) 853-0522.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format. We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. 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.

Abstract: The Color-of-Title Act (43 U.S.C. 1068, 1068a, and 1068b) provides for the issuance of a land patent to a tract of public land of up to 160 acres, where the claimant shows peaceful, adverse possession of the tract in good faith for more than 20 years, as well as

sufficient improvement or cultivation of the land. The information covered in this control number enables the Bureau of Land Management (BLM) to determine whether or not such a claimant has made a showing that is sufficient to obtain a land patent under the Act.

Title of Collection: Color-of-Title Application.

OMB Control Number: 1004-0029.

Form Numbers: 2540-1, 2540-2, and 2540-3.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public:

Individuals, groups, and corporations that request a land patent under the Color-of-Title Act.

Total Estimated Number of Annual Responses: 7.

Total Estimated Number of Annual Responses: 7.

Estimated Completion Time per Response: 3 hours.

Total Estimated Number of Annual Burden Hours: 21 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: \$70 (7 applications annually x \$10 per application).

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*)

Jean Sonneman,

*Information Collection Clearance Officer,
Bureau of Land Management.*

[FR Doc. 2018-07481 Filed 4-10-18; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO260000.L10600000PC0000.
18X.LXSIADVSBDO0.241A]

Call for Nominations for the National Wild Horse and Burro Advisory Board

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of call for nominations.

SUMMARY: The purpose of this notice is to solicit public nominations for three positions on the Wild Horse and Burro Advisory Board (Board) that will become vacant on March 30, 2018. The Board provides advice concerning the management, protection, and control of wild free-roaming horses and burros on public lands administered by the

Department of the Interior, through the Bureau of Land Management (BLM), and the Department of Agriculture, through the U.S. Forest Service.

DATES: Nominations must be post marked or submitted to the address listed below no later than May 29, 2018.

ADDRESSES: All mail sent via the U.S. Postal Service should be sent as follows: Division of Wild Horses and Burros, U. S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134 LM, Attn: Dorothea Boothe, WO-260, Washington, DC 20240. All mail and packages that are sent via FedEx or UPS should be addressed as follows: Wild Horse and Burro Division, U. S. Department of the Interior, Bureau of Land Management, 20 M Street SE, Room 2134 LM, Attn: Dorothea Boothe, Washington, DC 20003. You may also email PDF documents to Ms. Boothe at dboothe@blm.gov.

FOR FURTHER INFORMATION CONTACT:

Dorothea Boothe, Acting Wild Horse and Burro Program Specialist, telephone: 202-912-7654, email: dboothe@blm.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: Members of the Board serve without compensation. However, while away from their homes or regular places of business, Board and subcommittee members engaged in Board or subcommittee business, approved by the Designated Federal Official (DFO) may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in government service under Section 5703 of Title 5 of the United States Code. Nominations for a term of 3 years are needed to represent the following categories of interest: Public Interest
Wild Horse and Burro Advocacy
Veterinary Medicine

The Board will meet one to four times annually. The DFO may call additional meetings in connection with special needs for advice. Individuals may nominate themselves or others. Any individual or organization may nominate one or more persons to serve on the Board. Nominations will not be accepted without a complete resume. The following information must accompany all nominations for the individual to be considered for a position:

1. The position(s) for which the individual wishes to be considered;
2. The individual's first, middle, and last name;
3. Business address and phone number;
4. Home address and phone number;
5. Email address;
6. Present occupation/title and employer;
7. *Education:* Colleges, degrees, major field of study;
8. *Career Highlights:* Significant related experience, civic and professional activities, elected offices (include prior advisory committee experience or career achievements related to the interest to be represented). Attach additional pages, if necessary;
9. *Qualifications:* Education, training, and experience that qualify you to serve on the Board;
10. Experience or knowledge of wild horse and burro management;
11. Experience or knowledge of horses or burros (Equine health, training, and management);
12. Experience in working with disparate groups to achieve collaborative solutions (*e.g.*, civic organizations, planning commissions, school boards, etc.);
13. Identification of any BLM permits, leases, or licenses held by the individual or his or her employer;
14. Indication of whether the individual is a federally registered lobbyist; and
15. Explanation of interest in serving on the Board.

At least one letter of reference sent from special interests or organizations the individual may represent, including, but not limited to, business associates, friends, co-workers, local, State, and/or Federal government representatives, or members of Congress should be included along with any other information that is relevant to the individual's qualifications.

As appropriate, certain Board members may be appointed as special government employees. Special government employees serve on the Board without compensation, and are subject to financial disclosure requirements in the Ethics in Government Act and 5 CFR 2634. Nominations are to be sent to the address listed under **ADDRESSES** above.

Privacy Act Statement: The authority to request this information is contained in 5 U.S.C. 301, the Federal Advisory Committee Act (FACA), and 43 CFR part 1784. The appointment officer uses this information to determine education, training, and experience related to possible service on a BLM advisory council. When an individual is

appointed as an advisor, the information will be retained by the appointing official for the length of service. Otherwise, it will be destroyed 2 years after termination of an individual's membership or returned (if requested) following announcement of the Board's appointments. Submittal of this information is voluntary. However, failure to complete any or all items will inhibit fair evaluation of qualifications, and could result in an individual not receiving full consideration for appointment.

Membership Selection: Individuals shall qualify to serve on the Board because of their education, training, or experience that enables them to give informed and objective advice regarding the interest they represent. They should demonstrate experience or knowledge of the area of their expertise and a commitment to collaborate in seeking solutions to resource management issues. The Board is structured to provide fair membership and balance, both geographic and interest specific, in terms of the functions to be performed and points of view to be represented. Members are selected with the objective of providing representative counsel and advice about public land and resource planning. No person is to be denied an opportunity to serve because of race, age, sex, religion, or national origin. Individuals who are federally registered lobbyists are ineligible to serve on all FACA and non-FACA boards, committees, or councils in an individual capacity. The term "individual capacity" refers to individuals who are appointed to exercise their own individual best judgment on behalf of the government, such as when they are designated Special Government Employees, rather than being appointed to represent a particular interest.

Pursuant to Section 7 of the Wild Free-Roaming Horses and Burros Act, members of the Board cannot be employed by either Federal or State governments.

(Authority: 43 CFR 1784.4-1)

Kristin Bail,

Assistant Director, Resources and Planning.

[FR Doc. 2018-07463 Filed 4-10-18; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO350000 L1440000 PN0000 OMB Control Number 1004-0012]

Agency Information Collection Activities; Application for Land for Recreation or Public Purposes

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before June 11, 2018.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to the U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240, Attention: Jean Sonneman; or by email to jesonnem@blm.gov. Please reference OMB Control Number 1004-0012 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Ed Ruda by email at eruda@blm.gov, or by telephone at (202) 912-7338.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format. We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the BLM; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BLM enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BLM minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personally identifying information in your comment, you should be aware that your entire comment—including your personally identifying information—may be made publicly available at any time. While you can ask the BLM in your comment to withhold your personally identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The BLM collects this information in order to decide whether or not to lease or sell certain public lands to applicants under the Recreation and Public Purposes (R&PP) Act, 43 U.S.C. 869 to 869-4.

Title of Collection: Application for Land for Recreation or Public Purposes.

OMB Control Number: 1004-0012.

Form Number: 2740-1.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: State, Territory, county, and local governments; nonprofit corporations; and nonprofit associations.

Total Estimated Number of Annual Respondents: 20.

Total Estimated Number of Annual Responses: 20.

Estimated Completion Time per Response: 40 hours.

Total Estimated Number of Annual Burden Hours: 800 hours.

Respondent's Obligation: Required to obtain or retain a benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: \$2,450.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*)

Jean Sonneman,

Bureau of Land Management, Information Collection Clearance Officer.

[FR Doc. 2018-07482 Filed 4-10-18; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[LLWO600000 L18200000.XP0000-18X;
OMB Control Number 1004-0204]

**Agency Information Collection
Activities; Bureau of Land
Management Resource Advisory
Council Application**

AGENCY: Bureau of Land Management,
Interior.

ACTION: Notice of information collection;
request for comment.

SUMMARY: In accordance with the
Paperwork Reduction Act of 1995, we,
the Bureau of Land Management (BLM),
are proposing to renew an information
collection.

DATES: Interested persons are invited to
submit comments on or before June 11,
2018.

ADDRESSES: Send your comments on
this information collection request (ICR)
by mail to the U.S. Department of the
Interior, Bureau of Land Management,
1849 C Street NW, Room 2134LM,
Washington, DC 20240, Attention: Jean
Sonneman; by email to *jesonnem@
blm.gov*. Please reference OMB Control
Number 1004-0204 in the subject line of
your comments.

FOR FURTHER INFORMATION CONTACT: To
request additional information about
this ICR, contact Twinkle Thompson-
Seitts by email at *pseitts@blm.gov*, or by
telephone at 202-208-7301.

SUPPLEMENTARY INFORMATION: In
accordance with the Paperwork
Reduction Act of 1995, we provide the
general public and other Federal
agencies with an opportunity to
comment on new, proposed, revised,
and continuing collections of
information. This helps us assess the
impact of our information collection
requirements and minimize the public's
reporting burden. It also helps the
public understand our information
collection requirements and provide the
requested data in the desired format.

We are soliciting comments on the
proposed ICR that is described below.
We are especially interested in public
comment addressing the following
issues: (1) Is the collection necessary to
the proper functions of the BLM; (2) will
this information be processed and used
in a timely manner; (3) is the estimate
of burden accurate; (4) how might the
BLM enhance the quality, utility, and
clarity of the information to be
collected; and (5) how might the BLM
minimize the burden of this collection
on the respondents, including through
the use of information technology.

Comments that you submit in
response to this notice are a matter of
public record. We will include or
summarize each comment in our request
to OMB to approve this ICR. Before
including your address, phone number,
email address, or other personal
identifying information in your
comment, you should be aware that
your entire comment—including your
personal identifying information—may
be made publicly available at any time.
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.

Abstract: This control number
consists of one information collection
activity. In an application form, the
BLM seeks to collect information to
determine education, training, and
experience related to possible service on
advisory committees established under
the authority of Section 309 of the
Federal Land Policy and Management
Act (43 U.S.C. 1739), the Federal
Advisory Committee Act, 5 U.S.C. App.
2, and 43 CFR Subpart 1784. The BLM
refers to such advisory committees as
“Resource Advisory Councils” (RACs).
The information that the BLM collects is
necessary to ensure that each RAC is
structured to provide fair membership
balance, as prescribed by each RAC's
charter.

Title of Collection: Bureau of Land
Management Resource Advisory
Council Application.

OMB Control Number: 1004-0204.

Form Number: Form 1120-19.

Type of Review: Extension of a
currently approved collection.

Respondents/Affected Public: Persons
who apply for positions on Resource
Advisory Councils.

*Total Estimated Number of Annual
Respondents:* 200.

*Total Estimated Number of Annual
Responses:* 200.

*Estimated Completion Time per
Response:* 4 hours.

*Total Estimated Number of Annual
Burden Hours:* 800.

Respondent's Obligation: Required to
obtain or retain a benefit.

Frequency of Collection: On occasion.

*Estimated Annual Nonhour Burden
Cost:* None.

An agency may not conduct or
sponsor and a person is not required to
respond to a collection of information
unless it displays a currently valid OMB
control number.

The authority for this action is the
Paperwork Reduction Act of 1995 (44
U.S.C. 3501 *et seq.*)

Jean Sonneman,

*Information Collection Clearance Officer,
Bureau of Land Management.*

[FR Doc. 2018-07464 Filed 4-10-18; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF THE INTERIOR**National Park Service**

[NPS-WASO-NRNL-25281;
PPWOCRADIO, PCU00RP14.R50000]

**National Register of Historic Places;
Notification of Pending Nominations
and Related Actions**

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is
soliciting comments on the significance
of properties nominated before March
17, 2018, for listing or related actions in
the National Register of Historic Places.

DATES: Comments should be submitted
by April 26, 2018.

ADDRESSES: Comments may be sent via
U.S. Postal Service and all other carriers
to the National Register of Historic
Places, National Park Service, 1849 C St.
NW, MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The
properties listed in this notice are being
considered for listing or related actions
in the National Register of Historic
Places. Nominations for their
consideration were received by the
National Park Service before March 17,
2018. Pursuant to Section 60.13 of 36
CFR part 60, written comments are
being accepted concerning the
significance of the nominated properties
under the National Register criteria for
evaluation.

Before including your address, phone
number, email address, or other
personal identifying information in your
comment, you should be aware that
your entire comment—including your
personal identifying information—may
be made publicly available at any time.
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.

Nominations submitted by State
Historic Preservation Officers:

CALIFORNIA**San Francisco County**

Women's Building, The; 3543 18th St., San
Francisco, SG100002359

HAWAII**Hawaii County (Honoka'a Town, Hawaii MPS)**

Bank of Hawai'i, Ltd., 45–3568 Mamane St.,
Honoka'a, MP100002360

NEW YORK**Erie County**

Colonial Flats and Annex, 399–401 Delaware
Ave, Buffalo, SG100002366

Greene County

Dunix, 593 Cornwallville Rd., Cornwallville
vicinity, SG100002364

Monroe County

Mount Hope Cemetery, Bounded by Mount
Hope and Elmwood Aves., and
Intercampus Dr., Rochester, SG100002361

Ulster County

Vernooy—Bevier Stone House and Barns,
7075 US 209, Wawarsing, SG100002365

Washington County

Whitehall Fire Station, 161 Main Street,
Whitehall, SG100002367

PENNSYLVANIA**Allegheny County**

Chatham Center, 112 Washington Place,
Pittsburgh, SG100002378

Bucks County

Delbar Products, Inc., 601 Spruce St.,
Perkasie, SG100002369

Jefferson County

Knapp, Joseph, Hotel and Store, 15285 PA
28, Clover Township, SG100002371

Philadelphia County

International Harvester Company Building—
Philadelphia Branch House, 2903–2909 N.
16th St., Philadelphia, SG100002370

Buick Motor Company Building, 2917–2937
N. 16 St., Philadelphia, SG100002372

VIRGINIA**Appomattox County**

Gilliam—Irving Farm, 2012 Swan Rd.,
Pamplin vicinity, SG100002374

Harrisonburg Independent city

Harrisonburg Downtown Historic District
(Boundary Increase), 245 and 240 Old
South High St., Harrisonburg,
BC100002376

Hopewell Independent city

Downtown Hopewell Historic District
(Boundary Increase), Boundary includes
Main St., Appomattox St., Hopewell St.,
and East Broadway, Hopewell,
BC100002375

Additional documentation has been
received for the following resource:

OREGON**Marion County**

Salem Downtown State Street—Commercial
Street Historic District, Roughly bounded
by Ferry, High, Chemeketa, and Fronts Sts.,
Salem, AD01001067

Nominations submitted by Federal
Preservation Officers:

The State Historic Preservation Officer
reviewed the following nominations and
responded to the Federal Preservation Officer
within 45 days of receipt of the nominations
and supports listing the properties in the
National Register of Historic Places.

ARIZONA**Yavapai County**

OK Ranch Historic District, Red Rock
Crossing, Sedona Ranger District, Coconino
National Forest, Sedona vicinity,
SG100002358

MONTANA**Gallatin County**

Federal Building and US Post Office—
Bozeman, 10 E. Babcock St., Bozeman,
SG100002362

NORTH CAROLINA**Iredell County**

United States Post Office and Court House—
Statesville, 200 W. Broad St., Statesville,
SG100002363

WISCONSIN**Douglas County**

METEOR (whaleback carrier) (Boundary
Decrease), NW tip of Barkers Island,
Superior, C100002377

Authority: Section 60.13 of 36 CFR part 60

Dated: March 22, 2018.

J. Paul Loether,

*Chief, National Register of Historic Places/
National Historic Landmarks Program and
Keeper, National Register of Historic Places.*

[FR Doc. 2018–07449 Filed 4–10–18; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR**Bureau of Ocean Energy Management**

[Docket No. BOEM–2018–0004]

Commercial Leasing for Wind Power on the Outer Continental Shelf in the New York Bight—Call for Information and Nominations

AGENCY: Bureau of Ocean Energy
Management, Interior.

ACTION: Call for Information and
Nominations for Commercial Leasing for
Wind Power on the Outer Continental
Shelf in the New York Bight.

SUMMARY: The Bureau of Ocean Energy
Management (BOEM) invites the
submission of information and
nominations for commercial wind leases
that would allow a lessee to propose the
construction of a wind energy project on
the Outer Continental Shelf (OCS) in the
New York Bight, and to develop one or
more projects, if approved, after further

environmental review. Although this
announcement is not itself a leasing
announcement, the areas described
herein, or portions thereof, may be
available for future leasing. BOEM will
use responses to this Call for
Information and Nominations
(hereinafter referred to as “Call” or
“notice”) to gauge specific interest in
acquiring commercial wind leases in
some or all of the Call Areas, as required
by law. Parties wishing to submit a
nomination in response to this Call
should submit detailed and specific
information in response to the
requirements described in the section
entitled, “Required Nomination
Information.”

This announcement also requests
comments and information from
interested and affected parties about site
conditions, resources, and multiple uses
in close proximity to, or within, the Call
Areas that would be relevant to BOEM’s
review of any nominations submitted
and/or to BOEM’s possible subsequent
decision to offer all or part of the Call
Areas for commercial wind leasing. The
information that BOEM is requesting is
described in the section of this Call
entitled, “Requested Information from
Interested or Affected Parties.”

DATES: BOEM must receive nominations
describing your interest in one or more,
or any portion of, the Call Areas, by a
postmarked date of May 29, 2018 for
your nomination to be considered.
BOEM requests comments or
submissions of information to be
postmarked or delivered by this same
date. BOEM will consider only those
nominations received that conform to
this requirement.

ADDRESSES: If you are submitting a
nomination for a lease area in response
to this Call, please submit your
nomination, following the “Required
Nomination Information” section below,
to the following address: BOEM, Office
of Renewable Energy Programs, 45600
Woodland Road (VAM–OREP), Sterling,
Virginia 20166. In addition to a paper
copy of the nomination, include an
electronic copy of the nomination on a
data storage device. BOEM will list the
parties that submitted nominations and
the location of the proposed lease areas
(i.e., OCS blocks nominated) on the
BOEM website after the 45-day
comment period has closed.

Comments and other submissions of
information may be submitted by either
of the following two methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. In the entry
entitled, “Enter Keyword or ID,” enter
BOEM–2018–0004, and then click
“search.” Follow the instructions to

submit public comments and view supporting and related materials available for this notice.

2. U.S. Postal Service or other delivery service. Send your comments and information to the following address: Bureau of Ocean Energy Management, Office of Renewable Energy Programs, 45600 Woodland Road (VAM-OREP), Sterling, Virginia 20166.

All responses will be reported on <http://www.regulations.gov>.

If you wish to protect the confidentiality of your nominations or comments, clearly mark the relevant sections and request that BOEM treat them as confidential. Please label privileged or confidential information "Contains Confidential Information," and consider submitting such information as a separate attachment. Treatment of confidential information is addressed in the section of this Call entitled, "Protection of Privileged or Confidential Information." Information that is not labeled as privileged or confidential will be regarded by BOEM as suitable for public release.

FOR FURTHER INFORMATION CONTACT:

Luke Feinberg, BOEM, Office of Renewable Energy Programs, 45600 Woodland Road (VAM-OREP), Sterling, Virginia 20166, (703) 787-1705 or luke.feinberg@boem.gov.

SUPPLEMENTARY INFORMATION:

Authority

This Call is published pursuant to subsection 8(p)(3) of the OCS Lands Act, 43 U.S.C. 1337(p)(3), which was added by section 388 of the Energy Policy Act of 2005 (EPAAct), as well as the implementing regulations at 30 CFR part 585.

Call Areas

The Call Areas described in this notice are located on the OCS in the New York Bight and are delineated as Fairways North, Fairways South, Hudson North, and Hudson South. The four Call Areas include 222 whole OCS blocks and 172 partial blocks in total, and comprise approximately 2,047 square nautical miles (nmi) (702,192 hectares). These Call Areas were established after considering the *New York State Area for Consideration for the Potential Locating of Offshore Wind Energy Areas* (Area for Consideration), as well as additional input from the New York State Department of State, New York State Energy Research and Development Authority (NYSERDA), and the Intergovernmental Renewable Energy Task Force for the New York Bight (which includes members of the

New York and New Jersey Task Forces, as well as regional representatives from Connecticut, Rhode Island, and Massachusetts). These areas will be analyzed by BOEM during the area identification (Area ID) portion of the leasing process. For context, based on a power density ratio of 0.01 megawatts (MW) per acre, New York's goal of procuring 2.4 gigawatts (GW) of offshore wind energy by 2030 could likely be accommodated by developing 14% of the call areas presented. Development of approximately 18% of the Call Areas would be required to meet New York State's recommendation that BOEM designate four 800 MW lease areas (3.2 GW of capacity). A detailed description of the areas and how they were developed is described in the section of this Call entitled, "Description of the Area."

Purpose of the Call for Information and Nominations

The OCS Lands Act requires BOEM to award leases competitively, unless BOEM makes a determination that there is no competitive interest (43 U.S.C. 1337(p)(3)). BOEM will make this determination after reviewing the nominations received in response to this Call. This Call also requests information from interested and affected parties on issues relevant to potential leasing within the Call Areas.

The responses to this Call could lead to the initiation of a competitive leasing process in some parts of the Call Areas (*i.e.*, where competition exists), and a noncompetitive process in other parts of the Call Areas (*i.e.*, where no competitive interest exists). The leasing process is described more completely under the "Determination of Competitive Interest" and "Noncompetitive Leasing Process" sections of this Call. In any parts of the Call Areas where a single entity has shown interest, but BOEM determines there is no competitive interest, BOEM may proceed with the noncompetitive lease process pursuant to 30 CFR 585.232. If BOEM determines that there is competitive interest in some or all of the Call Areas, then BOEM may proceed with Area ID, as set forth in 30 CFR 585.211(b), and the competitive leasing process as set forth under 30 CFR 585.211 through 585.225.

A lease, whether issued through a competitive or noncompetitive process, does not grant the lessee the right to construct any facilities on the lease; rather, the lease grants the lessee the exclusive right to submit development plans to BOEM, which BOEM must first have approved before the lessee may

proceed to the next stage of the process (30 CFR 585.600 and 585.601).

Whether the leasing process is competitive or noncompetitive, it will include additional opportunities for the public to provide input, and any proposed actions will be reviewed thoroughly for potential environmental and multiple use impacts. The area(s) that may be offered for lease, if any, has/have not yet been determined, and may include less than the total footprint of the Call Areas identified in this Call.

1 Background

1.1 Energy Policy Act of 2005

The EPAAct amended the OCS Lands Act by adding subsection 8(p)(1)(C), which authorizes the Secretary of the Interior to grant leases, easements, or rights-of-way (ROWs) on the OCS for activities that are not otherwise authorized by law and that produce or support production, transportation, or transmission of energy from sources other than oil or gas, including renewable energy sources. The EPAAct also required the issuance of regulations to carry out the new authority pertaining to renewable energy on the OCS. The Secretary delegated this authority to issue leases, easements, and ROWs, and to promulgate regulations, to the Director of BOEM. On April 29, 2009, BOEM published regulations entitled, *Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf*, which have been codified at 30 CFR part 585, which can be found at: http://www.boem.gov/uploadedFiles/30_CFR_585.pdf.

1.2 Ocean Planning

BOEM participates in ocean planning through a collaborative, data-based approach to foster coordinated and informed decisions about our shared ocean resources and the many uses that depend on them.

BOEM appreciates the importance of coordinating its planning endeavors with other OCS users, regulators, and relevant Federal agencies—including the U.S. Fish and Wildlife Service (USFWS), the National Park Service (NPS), the U.S. Coast Guard (USCG), the National Oceanic and Atmospheric Administration (NOAA), and the Department of Defense (DoD). BOEM intends to coordinate with the regional planning bodies, which include Federal and state agencies; federally recognized tribes; and Fishery Management Councils. BOEM will also utilize information contained in the Northeast

and Mid-Atlantic Ocean Data Portals¹ in its decision-making, among other sources of information, because the Portals include maps of marine life, habitat areas, cultural resources, transportation, fishing, and other human uses to be considered when new energy or other infrastructure projects are proposed. BOEM anticipates that continued coordination with its Intergovernmental Renewable Energy Task Forces (Task Forces) will also help inform comprehensive ocean planning efforts.

1.3 BOEM Intergovernmental Renewable Energy Task Forces

BOEM has established multiple Task Forces to facilitate coordination among relevant Federal agencies and affected state, local, and tribal governments throughout the leasing process. Task Forces for New Jersey and New York were previously established in 2009 and 2010, respectively, and will continue to be engaged during the planning and leasing process for the New York Bight OCS area. This engagement includes joint Task Force activities, such as the webinar for the New York Bight that was held on December 4, 2017. Meeting materials for these two Task Forces are available on the BOEM website at: <https://www.boem.gov/NY-Bight/>.

2 Environmental Review Process

Prior to deciding whether and where leases may be issued, BOEM will prepare an environmental assessment (EA) and conduct consultations to consider the environmental consequences associated with issuing commercial wind leases within all or some of the Call Areas. The EA will consider the reasonably foreseeable environmental consequences associated with leasing, such as site characterization activities (including geophysical, geotechnical, archaeological, and biological surveys). BOEM would consider the environmental effects of the construction or operation of any wind

energy facility under a separate, project-specific National Environmental Policy Act (NEPA) process, which would include additional opportunities for public involvement. BOEM would also conduct several consultations concurrently with, and integrated into, the NEPA process. These consultations would include, but are not limited to, those required by the Coastal Zone Management Act (CZMA), the Endangered Species Act (ESA), the Magnuson-Stevens Fishery Conservation and Management Act, Section 106 of the National Historic Preservation Act (NHPA), and Executive Order 13175—“Consultation and Coordination with Tribal Governments.”

3 Actions Taken by the State of New York in Support of Offshore Renewable Energy Development

The State of New York has a stated goal of developing 2.4 GW of offshore wind energy by 2030. To facilitate this effort, NYSERDA has spearheaded the development of the New York Offshore Wind Master Plan (the Master Plan <https://www.nyserda.ny.gov/All-Programs/Programs/Offshore-Wind/New-York-Offshore-Wind-Master-Plan/>), a comprehensive roadmap to advance offshore wind energy development in New York. The objective of New York’s Master Plan is to “to ensure that offshore wind in New York is developed in the most responsible and cost-effective manner possible.” To support the Master Plan, NYSERDA has conducted more than 20 studies and engaged with stakeholders and the public with the stated objective of ensuring that offshore wind is developed thoughtfully, responsibly, and cost-effectively.

On October 2, 2017, BOEM received the State of New York’s Area for Consideration. This document identifies an area of the New York Bight that the State has determined, based on its compilation and analysis of scientific, stakeholder and analytical data, to be most desirable for future offshore wind development. BOEM has taken the State’s recommendation into account in designating areas for this Call, and will consider the data and analyses generated by the State at subsequent stages of its planning and leasing process in the New York Bight area.

4 BOEM’s Planning and Leasing Process

4.1 Determination of Competitive Interest

As stated in 43 U.S.C. 1337(p)(3), “the Secretary shall issue a lease, easement,

or right-of-way . . . on a competitive basis unless the Secretary determines after public notice of a proposed lease, easement, or right-of-way that there is no competitive interest.” The first step in BOEM’s leasing process is therefore to determine whether or not there is any competitive interest in acquiring a lease within the Call Areas for the purpose of offshore wind development. At the same time, BOEM will determine whether there is overlapping interest in any particular portion of the Call Areas that would result in the need for a competitive process. At the conclusion of the comment period for this Call, BOEM will review the nominations received and determine whether competitive interest exists in any specific locations within the Call Areas. After the close of the Call comment period, if BOEM determines that competitive interest exists for one or more portions of the Call Area, you will be able to submit a bid in a potential future competitive lease sale for those portions of the Call Area even if you did not submit a nomination in response to this Call.

For any portions of the Call Area, but particularly portions with two or more valid nominations, BOEM may consider proceeding with competitive leasing as described in the section of this Call entitled, “Competitive Leasing Process.” For areas where BOEM determines that there is a single interested entity, but only one valid nomination, BOEM may consider proceeding with noncompetitive leasing, as described in the section entitled, “Noncompetitive Leasing Process.”

Respondents to this Call and members of the public should be aware that BOEM will not issue any leases until it has completed the necessary consultations and environmental analysis and given the public an opportunity to comment. BOEM reserves the right not to lease certain nominated areas, or modify such areas from their original, proposed form before offering them for lease.

4.2 Competitive Leasing Process

If, after receiving responses and nominations to this Call, BOEM proceeds with the competitive leasing process for certain areas, it will follow the steps required by 30 CFR 585.211 through 585.225.

(1) *Area Identification*: Based on the information it receives in response to this Call, BOEM will determine the level of commercial interest and identify the area(s) that would be appropriate to analyze for potential leasing. The area(s) identified will constitute a Wind Energy Area(s) (WEA) and will be subject to

¹ The Northeast Ocean Data Portal (maintained by NROC, the Northeast Regional Ocean Council <http://www.northeastoceandata.org>) and the Mid-Atlantic Ocean Data Portal (maintained by MARCO, the Mid-Atlantic Regional Council on the Ocean <http://portal.midatlanticocean.org>) draw upon data from the *MarineCadastre.gov* national data portal, which was developed through a partnership between NOAA and BOEM. *MarineCadastre.gov* is an integrated marine information system that provides data, tools, and technical support for ocean and Great Lakes planning, designed specifically to support renewable energy siting on the OCS, but is also being used for other ocean-related efforts and is recognized by regional ocean governance groups as the central place for authoritative federal data, with data, metadata, and map services.

environmental analysis as described above, in consultation with appropriate Federal agencies, states, local governments, tribes, and other interested parties.

(2) *Proposed Sale Notice (PSN)*: If BOEM decides to proceed with a competitive lease sale within the WEAs after completion of the environmental analysis, BOEM will publish a PSN in the **Federal Register** with a comment period of 60 days. The PSN will describe the area(s) to be offered for leasing, the proposed conditions of a lease sale, and the proposed auction format, lease document, including application addenda. Additionally, the PSN will describe the criteria and process for evaluating bids in the lease sale.

(3) *Final Sale Notice (FSN)*: After considering the comments on the PSN, if BOEM decides to continue to proceed with a competitive lease sale, it will publish the FSN in the **Federal Register** at least 30 days before the date of the lease sale.

(4) *Bid Submission and Evaluation*: Following publication of a FSN in the **Federal Register**, BOEM would offer the lease areas through a competitive sale process, using procedures specified in the FSN. The conduct of the sale, including bids and bid deposits, would be reviewed for technical and legal adequacy. BOEM will ensure that bidders have complied with all applicable regulations. BOEM reserves the right to reject any or all bids and/or withdraw an offer to lease an area, even after bids have been submitted.

(5) *Issuance of a Lease*: Following the selection of a winning bid(s) by BOEM, the successful bidder(s) would be notified of the decision and provided a set of official lease documents for execution. The successful bidder(s) would be required to sign and return the lease, pay the remainder of the bonus bid, if applicable, and file the required financial assurance within 10 days of receiving the lease documents. Upon receipt of the required payments, financial assurance, and properly signed lease forms, BOEM would execute a lease with the successful bidder(s).

4.3 Noncompetitive Leasing Process

(1) *Determination of No Competitive Interest*: If, after evaluating the responses to this Call, BOEM determines that there is only one respondent interested in a particular area and therefore no competitive interest, BOEM would publish a notice of Determination of No Competitive Interest in the **Federal Register**, and could proceed with the noncompetitive lease issuance process pursuant to 30

CFR 585.232. If BOEM decides to proceed with this process, it will ask the sole respondent who nominated a particular area if it wants to lease the area by submitting an acquisition fee, as specified in 30 CFR 585.502(a). If it receives the acquisition fee, BOEM will follow the process outlined in 30 CFR 585.231(d) through (i).

(2) *Review of Lease Request*: BOEM will comply with the requirements of OCSLA, NEPA, CZMA, ESA, NHPA, and other applicable Federal statutes before issuing a lease noncompetitively. BOEM will coordinate and consult with relevant Federal agencies, affected tribes, and affected state and local governments in formulating lease terms, conditions, and stipulations, as appropriate.

(3) *Lease Issuance*: After completing its review of the lease request, BOEM may offer a noncompetitive lease. Within 10 days of receiving the lease, the lessee must execute it and provide a \$100,000 lease-specific bond. Within 45 days of receiving the lease, the lessee must pay BOEM the first 12 months' rent.

5 Development of the Call Areas

BOEM delineated the Call Areas in consultation with several parties and information sources, including the State of New York (including through its *Area for Consideration* document), and the Intergovernmental Renewable Energy Task Force for the New York Bight. The areas selected are intended to identify portions of the OCS for further analysis and to solicit information and nominations so that potential use conflicts can be analyzed and considered in the Area Identification process. BOEM's future analysis during Area Identification will evaluate the Call Areas for their appropriateness for offshore wind development, balanced against potential ocean user conflicts. After environmental reviews and associated consultations, public comments, and continued coordination with other government agencies through the BOEM Intergovernmental Renewable Energy Task Forces, BOEM anticipates developing and applying terms and conditions—including any measures necessary to mitigate impacts—at the leasing, site assessment, and/or construction and operations phases.

On October 2, 2017, NYSERDA submitted to BOEM its *Area for Consideration* document. The document specifically identifies two areas in the Atlantic Ocean south of Long Island that the State of New York asked BOEM to consider as potential Call Areas. The State of New York's identification of

these areas was informed by over 20 scientific studies commissioned by the State of New York in consultation with BOEM and numerous Federal and state resource agencies. The State of New York concluded that the areas identified in their *Area for Consideration* document presented “the fewest conflicts with ocean users, resources, infrastructure, and wildlife, and has the greatest potential for cost-effective development of offshore wind energy to meet [their] goals.” The State recommended that BOEM “expeditiously consider this submission, and then delineate and lease at least four new WEAs within the Area for Consideration, each capable of siting at least 800 MW of offshore wind.” For more information, please refer to: <https://www.nyserdera.ny.gov/All-Programs/Programs/Offshore-Wind/New-York-Offshore-Wind-Master-Plan/Area-for-Consideration>. The New Jersey Department of Environmental Protection has noted that the development of the Area of Consideration document did not involve consultation with state elected officials, the New Jersey Task Force, or New Jersey state agencies.

The Call Areas outlined in this document contain the areas identified in the *Area for Consideration* document submitted by the State of New York, but also include the initial, more expansive areas initially identified in New York's *Area for Consideration* document. Many of the factors used to delineate New York's *Area for Consideration* were informed by a series of draft studies, which the State of New York finalized and published after it issued its recommendations; BOEM believes the final studies should be evaluated prior to modifying the initial areas identified by New York. This Call will allow additional stakeholders, including other potentially affected states, to provide input on these areas prior to further modification during the Area Identification process. For context, please note that approximately 18% of the Call Areas presented in this document would need to be identified as WEAs to meet the State of New York's request for four 800 MW lease areas (assuming a power density ratio of 0.01 MW per acre); however, BOEM may identify more or less of the Call Area for leasing after considering stakeholder comments.

BOEM will consider a wide range of information regarding potential use conflicts within the Call Areas and the areas' suitability for offshore wind development, but is particularly sensitive to—and interested in information regarding—the following issues:

5.1 Fisheries

BOEM is soliciting information regarding the use of the areas included in this Call as a fishery. BOEM recognizes that several commercial and recreational fisheries operate in the Call Areas, including, but not limited to: Butterfish, Atlantic mackerel, Atlantic sea scallop, Atlantic surfclam and ocean quahog, longfin and illex squid, monkfish, Northeast multispecies, summer flounder, scup, and black sea bass fisheries. BOEM also acknowledges that representatives from the fishing industry have already provided comments and information to NYSEDA regarding fishing in the states Offshore Study Area. BOEM will consider that information at the Area Identification stage of its planning process. BOEM is also aware that several areas identified by the New Jersey Department of Environmental Protection's Sport Ocean Fishing Grounds atlas are within the Call Areas. These areas include Yankee Spot, Mako Hotel, George's Bank, Bacardi, Triple Wrecks North, Texas Tower, The Slough, Little Italy, Yellowfin Lump, North East Lump, Mako Hole, The Fingers, Resor Wreck, Dusky Hole, Triple Wrecks South, The Bomb, and Glory Hole. BOEM is requesting additional information regarding recreational and commercial fisheries that operate within these Call Areas, including, but not limited to, the use of the area for recreational tuna and marlin tournaments, the fishing gear types used, seasonal uses, and suggestions for reducing use conflicts.

If BOEM concludes that fisheries conflicts cannot be properly mitigated in certain portions of the Call Areas, it may exclude those areas from leasing at the Area Identification stage, during the environmental review process conducted under NEPA, and/or as a result of essential fish habitat consultations under the Magnuson-Stevens Fishery Conservation and Management Act. BOEM may also require measures to mitigate or avoid fishery conflicts at the construction and operations phase of its regulatory process.

Although BOEM has largely erred on the side of inclusion of areas at this early stage in its process, it has accepted the recommendation in the State of New York's *Area for Consideration* document to exclude from the Call Areas the Hudson Canyon Scallop Rotational Area defined in 50 CFR 648.60(a)(4).

5.2 Avian Species

BOEM attempts to avoid leasing areas with high concentrations of marine bird

species that may be most impacted by offshore wind development. BOEM's preliminary analyses suggest, however, that the Call Areas do not contain high concentrations of such marine birds. These preliminary analyses were based on maps created from an ongoing BOEM/NOAA study entitled, "Integrative Statistical Modeling and Predictive Mapping of Seabird Distribution and Abundance on the Atlantic Outer Continental Shelf," which can be found at <http://www.boem.gov/AT-13-03/>. These maps are publicly available at <http://www.northeastoceandata.org/data-explorer/?birds>. However, more recent maps from the study suggest that the Hudson South Call Area may have relatively high concentrations of Northern Gannets in winter (unpublished, Atlantic Marine Bird Mapping Statistical Model Predictions Release version 2.0). This finding appears to be confirmed by the high resolution aerial surveys that the State of New York conducted in the winter of 2017 (https://remote.normandeau.com/portal_data.php?public=1), and supported by observations in a satellite tracking study available at <https://www.boem.gov/BOEM-2017-069/>. Lastly, during the fall survey in 2017, a roseate tern (listed as endangered under ESA) was identified just north of the Fairways North Call Area. BOEM will further analyze and assess available avian data as part of its Area Identification process.

5.3 Marine Protected Species

Various marine protected species utilize the New York Bight in the vicinity of the Call Areas, including marine mammals, sea turtles, and Atlantic sturgeon. All marine mammal species are protected under the Marine Mammal Protection Act, while certain whale species (including the North Atlantic right whale), all sea turtles species, and the Atlantic sturgeon are afforded additional protections as listed species under the Endangered Species Act (ESA). While ESA-listed species are known to be present in the Call Areas, they do not contain National Marine Fisheries Service (NMFS)-designated critical habitat for any ESA-listed species.

The Atlantic Marine Assessment Program for Protected Species study data show that several species may utilize the habitats in the Call Areas for feeding, resting, migrating, and communication (<https://www.nefsc.noaa.gov/psb/AMAPPS/>). BOEM's preliminary analyses suggest that the continental shelf edge and slope (located generally at or near the 200 m

contour) contain the greatest densities and species diversity of marine mammals compared to less frequent occurrences over the continental shelf regions, where the Call Areas are located (<http://seamap.env.duke.edu/>). The exception is harbor porpoises, which are a species that is commonly found in high numbers over the continental shelf in the winter and spring. The available data further indicates the presence of endangered North Atlantic right whales primarily in the Call Areas during the late fall and winter seasons, while endangered and threatened sea turtles are highly migratory species that seasonally utilize the continental shelf, including the Call Areas, for foraging. The initial data collected in recent surveys by the State of New York's high resolution aerial surveys conducted in 2017 also confirms marine mammal and sea turtle sightings of various species in the Call Areas (https://remote.normandeau.com/portal_data.php?public=1).

In addition to marine mammals and sea turtles, five Distinct Population Segments of the Atlantic sturgeon, an ESA-listed marine fish, likely occur in the New York Bight. The occurrence of Atlantic sturgeon in the New York Bight has been well documented through fisheries bycatch information, New York bottom trawl sub-adult Atlantic sturgeon surveys, a variety of tagging studies, and more recently through an offshore telemetry study funded by BOEM and the New York Department of Environmental Conservation (see: <https://www.boem.gov/Atlantic-Fish-Telemetry-Monitoring/>). Atlantic sturgeon may use the Call Areas as overwintering and foraging areas. These data, as well as ongoing passive acoustic efforts by the Wildlife Conservation Society's New York Aquarium and the Woods Hole Oceanographic Institution, will provide additional information for BOEM's consideration during the Area Identification process.

BOEM will utilize information received in response to the Call to assist with its verification of any migratory periods, persistent or seasonally occurring oceanic habitat features associated with the presence of protected marine mammals, sea turtles, and fish, periods of high species abundance or diversity that may occur within the Call Areas. BOEM also seeks any additional information regarding the use of the Call Areas by Atlantic sturgeon, including specific known overwintering habitats, such as holes or troughs adjacent to shoals where Atlantic sturgeon are regularly encountered, as well as the time of year

when those encounters are most likely to occur.

BOEM will consider all the best available information to identify and assess potential areas of conflict with marine protected species within the Call Areas and consult with resource agencies during the Area Identification process, as necessary.

5.4 Navigation

Portions of the Call Areas are regularly trafficked by multiple types of vessels entering and leaving ports in New Jersey and New York, based on BOEM’s preliminary analysis of Automatic Identification System (AIS) data between 2010–2012, and the State of New York’s analysis of 2013 AIS data as part of its *Area for Consideration* document. Portions of the Call Areas are also used by cargo and tanker vessels transiting between Delaware Bay and Chesapeake Bay ports to eastern Long Island and southeastern New England. A majority of the vessels transiting the Call Areas are cargo ships and tankers. Other types of vessels using the area include tug and barge, passenger, military, recreational, and commercial fishing. AIS data used to conduct this analysis, in addition to other AIS tools, can be downloaded at www.marinecadastre.gov/AIS.

BOEM excluded the following portions of the OCS from the Call Area based on the State of New York’s Navigation Study recommendations:

- Between the Hudson North and Hudson South Call Areas, an area 30 nmi in length and approximately 15 nmi wide from the entrance/exit of the New York Southeastern Approach (Hudson Canyon to Ambrose and Ambrose to Hudson Canyon traffic lanes).

- All sub-blocks that overlap with a 1 nmi buffer along all outer edges of traffic lanes, shipping safety fairways, and the above-mentioned 30 nmi delineated area.

BOEM coordinates with the U.S. Coast Guard (USCG) on navigational issues and will continue its engagement throughout all phases of its regulatory process. In 2015, as an outcome of its Atlantic Coast Port Access Route Study, USCG issued Marine Planning Guidelines (MPG), which recommends a 2 nmi parallel buffer between the outer or seaward boundary of a traffic lane and offshore structures, and a 5 nmi buffer for a Traffic Separation Scheme entry or exit. USCG has stated that these buffers are guidelines, and has acknowledged that navigational risks can be mitigated on a project-by-project basis, pending more detailed analysis following the lessee’s submission of a Navigational Safety Risk Assessment at the construction and operations phase of BOEM’s regulatory process. Pending the outcome of future analysis, BOEM may not offer some portions of the Call Areas for leasing or development based on information provided in response to during the Call regarding safety concerns and historic routes of vessel traffic.

BOEM is also seeking information regarding the following:

- *Commercial Vessel Port-to-Port or Port-to-Fishing Location Transit.* AIS data suggest the existence of historic transit corridors through the Call Areas between Chesapeake Bay ports and New York/Newark ports; Delaware Bay and Chesapeake Bay to smaller ports, such as Buzzards Bay, MA; Providence, RI; and Long Island East, NY.
- *Recreational Port-to-Port Transit.* The State of New York identified an

Annapolis, MD to Newport, RI distance sailing race route through its offshore wind study area. BOEM seeks information on other races or other recreational port-to-port transit routes.

5.5 Department of Defense and United States Coast Guard Training Areas

The Department of Defense (DoD) conducts offshore testing, training, and operations within portions of the Call Areas. BOEM refined the Call Areas based on the most recent DoD assessment of compatibility between commercial offshore wind development and DoD testing, training and operations. BOEM excluded from consideration all OCS blocks that DoD has determined to be incompatible.

BOEM is working with DoD to update the offshore wind compatibility assessment for the Atlantic that identifies wind energy exclusion areas and those OCS blocks that may require site-specific conditions and stipulations to ensure offshore wind facilities are compatible with DoD activities. These stipulations could include, but may not be limited to: Hold and save harmless agreements; mandatory coordination with DoD on specified activities; restrictions on electromagnetic emissions; and evacuation procedures from the lease area for safety reasons when notified by the DoD. BOEM may remove from leasing consideration any OCS blocks identified as incompatible in DoD’s updated compatibility assessment.

Interested parties should also be aware that the Call Areas contain some OCS blocks that have never been assessed by DoD, but will be included in the updated compatibility assessment. These OCS blocks and/or portions thereof include:

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18–12	6233	D.
Hudson Canyon	NJ18–03	6306	M.
Hudson Canyon	NJ18–03	6356	A, E, I, J, M, N.
Hudson Canyon	NJ18–03	6406	A, B, E, F, I, J, K, M, N, O.
Hudson Canyon	NJ18–03	6455	D, H, L, P.
Hudson Canyon	NJ18–03	6456	A, B, C, E, F, G, H, I, J, K, L, M, N, O, P.
Hudson Canyon	NJ18–03	6505	D, G, H, K, L, O, P.
Hudson Canyon	NJ18–03	6506	All.
Hudson Canyon	NJ18–03	6507	A, E, I, M, N.
Hudson Canyon	NJ18–03	6555	C, D, G, H, K, L, O, P.

Protraction name	Protraction No.	Block No.	Sub-block
Hudson Canyon	NJ18-03	6556	All.
Hudson Canyon	NJ18-03	6557	A, B, E, F, I, J, M, N, O.
Hudson Canyon	NJ18-03	6605	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6606	All.
Hudson Canyon	NJ18-03	6607	A, B, C, E, F, G, I, J, K, L, M, N, O, P.
Hudson Canyon	NJ18-03	6655	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6656	All.
Hudson Canyon	NJ18-03	6657	All.
Hudson Canyon	NJ18-03	6658	E, I, M.
Hudson Canyon	NJ18-03	6705	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6706	
Hudson Canyon	NJ18-03	6707	
Hudson Canyon	NJ18-03	6708	A, B, E, F, I, J, M, N, O.
Hudson Canyon	NJ18-03	6755	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6756	All.
Hudson Canyon	NJ18-03	6757	All.
Hudson Canyon	NJ18-03	6758	A, B, C, E, F, G, I, J, K, M, N, O, P.
Hudson Canyon	NJ18-03	6805	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6806	All.
Hudson Canyon	NJ18-03	6807	All.
Hudson Canyon	NJ18-03	6808	All.
Hudson Canyon	NJ18-03	6809	I, M.
Hudson Canyon	NJ18-03	6855	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6856	All.
Hudson Canyon	NJ18-03	6857	All.
Hudson Canyon	NJ18-03	6858	All.
Hudson Canyon	NJ18-03	6859	A, E, F, I, J, M, N.

The USCG Sector New York identified the northern portion of the Hudson South Call Area as an unofficially designated weapons training range for maintaining law enforcement proficiency. They requested that this area be given consideration as an existing use. These OCS blocks and/or portions thereof include:

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18-12	6854	H, L, P.
New York	NK18-12	6855	I, M.
New York	NK18-12	6904	D, H, L.
New York	NK18-12	6905	A, B, E, F, G, I, J, K, L, N, O, P.

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18-12	6954	G, K, L, O, P.
New York	NK18-12	6955	I, M, N.
New York	NK18-12	7004	C, D.

5.6 Bathymetric Conditions

The 60m water depth is a reasonable estimate of the maximum limit for likely development of utility scale fixed foundation projects at the present time. The National Renewable Energy Laboratory's (NREL) 2016 assessment of US offshore wind potential identifies three categories of foundation types based on water depth: 0–30 meters for gravity base or monopiles, 30 to 60 meters for jackets or tripods, and 60 meters or greater for floating structures. However, BOEM is aware of nascent floating foundation technology that has been deployed on a limited basis in water deeper than 60m, and new support structure technologies are continually under development. Given the likelihood of continued technological advancement in the offshore wind industry in terms of foundation design, materials use, and turbine efficiency, BOEM requests comment on the appropriateness of the 60m water depth contour as a factor delineating the Call Areas.

5.7 Visual Impacts

The New Jersey and New York coastlines to the north and west of the Call Areas contain various natural areas, lighthouses, beaches, and other public spaces. These coastlines also contain numerous National Historic Landmarks (NHLs) and historic properties listed in, or eligible for listing in, the National Register of Historic Places. Additionally, two units of the National Park Service, Fire Island National Seashore (Fire Island) and Gateway National Recreation Area (Gateway) are located in the vicinity of the Call Areas. Fire Island was established by Congress to preserve the beaches, dunes, and other natural resources within Suffolk County, New York, and is also a designated Wilderness Area. Gateway was established to preserve natural and recreational resources in and around Staten Island, Long Island, and northern New Jersey.

BOEM previously consulted with stakeholders regarding viewshed concerns and completed a study entitled, "Renewable Energy Viewshed Analysis and Visualization Simulation for the New York Outer Continental Shelf Call Area" ([https://](https://www.boem.gov/New-York-Visual-Simulations)

www.boem.gov/New-York-Visual-Simulations), during the Area Identification process for the New York WEA designated on March 16, 2016 and later refined into what is now Lease OCS-A 0512 (<https://www.boem.gov/OCS-A-0512/>). This study included a meteorological assessment, viewshed analysis, and photographic documentation of a hypothetical commercial wind facility from a series of publicly accessible key observations points. The National Park Service (NPS), New York State Historic Preservation Office (NY SHPO), and New Jersey State Historic Preservation Office (NJ SHPO) each expressed concern regarding the potential for visual impacts to NHLs and other onshore historic properties from renewable energy development within the New York Bight, including portions of the Call Areas. Additionally, NPS expressed concern that development within these areas could negatively impact historic and natural resources within Fire Island and Gateway, particularly with respect to the aircraft and vessel collision avoidance safety lighting to adversely affect the natural darkness, night sky, and ocean views.

The State of New York initially excluded areas within 15 nmi (17.3 statute miles) of shore from its *Area for Consideration* document in order to reduce potential visual impacts to onshore areas. Based on the results of BOEM's visual simulation study and additional outreach conducted by the State of New York, the state limited its *Area for Consideration* document to include areas at least 20 statute miles (17.4 nautical miles) from shore. BOEM has elected to use the State's initial 15 nmi limit at this preliminary stage, and seeks further stakeholder feedback regarding viewshed concerns in response to this Call—including specific concerns about potential impacts to the landscape or seascape of coastal areas of New York and/or New Jersey, as well as potential mitigation measures.

5.8 Cables and Other Existing Infrastructure

As discussed in the *Area for Consideration* document, the Call Areas contain a significant number of fiber-optic and electrical transmission cables traversing the seabed, as well as other

existing infrastructure, such as natural gas pipelines. If BOEM ultimately leases portions of the Call Areas that contain existing infrastructure, lessees may need to develop site-specific crossing and proximity agreements with applicable infrastructure owners, per BOEM's Construction Operation Plan Guidance *Attachment H: Coordination Efforts Relating to Existing Telecommunications Cables*.

6 Description of the Area

The Call Areas described in this notice are located on the OCS in the New York Bight and are delineated as Fairways North, Fairways South, Hudson North, and Hudson South. The four Areas include 222 whole OCS blocks and 172 partial blocks in total, and comprise approximately 2,047 square nmi (702,192 hectares). A map of the Call Areas, and associated GIS files, which are located in UTM Zone 18 and UTM Zone 19, NAD83 Datum, can be found at the following URL: <https://www.boem.gov/NY-Bight/>.

6.1 Call Area Fairways North

The boundary of Call Area Fairways North begins 15 nmi offshore and is parallel to the coast. The area is 15 nmi from both South Hampton, New York and Montauk, New York. The area is about 46 nmi in length from east to west and at its widest point is about 11nmi from north to south. Respondents should be aware that New York NK18-12 Blocks 6233, 6283, 6333, 6383, 6433 and Block Island Shelf NK19-10 Blocks 6202, 6252, 6302, 6352, 6402 border the edge of Universe Transverse Mercator (UTM) Zones 18 and 19. As a result, while these blocks are considered full OCS lease blocks, they vary in area and are smaller than standard OCS blocks. Official acreages for the blocks located within Official Protraction Diagrams (OPD) New York NK18-12 and Block Island Shelf NK19-10 can be found at: <https://www.boem.gov/Oil-and-Gas-Energy-Program/Mapping-and-Data/NK18-12-01-MAY-2006.aspx> and <https://www.boem.gov/Oil-and-Gas-Energy-Program/Mapping-and-Data/NK19-10-01-MAY-2006.aspx>.

The entire area is approximately 250 square nmi (85,728 hectares) and is described in the table below:

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18-12	6233	P.
New York	NK18-12	6281	P.
New York	NK18-12	6282	H, J, K, L, M, N, O, P.
New York	NK18-12	6283	B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6330	K, L, M, N, O, P.
New York	NK18-12	6331	B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6332	All.
New York	NK18-12	6333	All.
New York	NK18-12	6378	K, L, M, N, O, P.
New York	NK18-12	6379	C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6380	All.
New York	NK18-12	6381	All.
New York	NK18-12	6382	All.
New York	NK18-12	6383	All.
New York	NK18-12	6425	O, P.
New York	NK18-12	6426	H, I, J, K, L, M, N, O, P.
New York	NK18-12	6427	B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6428	All.
New York	NK18-12	6429	A, B, C, D, E, F, G, H, I, J, K, L, M, N.
New York	NK18-12	6430	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	6431	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	6432	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	6433	A, B, C, D, E, F, G, H, I.
New York	NK18-12	6474	D.
New York	NK18-12	6475	A.
Block Island Shelf	NK19-10	6058	O, P.
Block Island Shelf	NK19-10	6059	M.
Block Island Shelf	NK19-10	6107	L, M, N, O, P.
Block Island Shelf	NK19-10	6108	B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Block Island Shelf	NK19-10	6109	A, E, F, I, J, M.
Block Island Shelf	NK19-10	6154	O, P.
Block Island Shelf	NK19-10	6155	H, I, J, K, L, M, N, O, P.
Block Island Shelf	NK19-10	6156	C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Block Island Shelf	NK19-10	6157	A, B, E, F, I, J, M.
Block Island Shelf	NK19-10	6158	A.
Block Island Shelf	NK19-10	6202	L, M, N, O, P.
Block Island Shelf	NK19-10	6203	F, G, H, I, J, K, L, M, N, O, P.
Block Island Shelf	NK19-10	6204	All.
Block Island Shelf	NK19-10	6205	All.
Block Island Shelf	NK19-10	6206	All.
Block Island Shelf	NK19-10	6207	All.
Block Island Shelf	NK19-10	6252	All.
Block Island Shelf	NK19-10	6253	All.
Block Island Shelf	NK19-10	6254	All.
Block Island Shelf	NK19-10	6255	All.
Block Island Shelf	NK19-10	6256	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O.
Block Island Shelf	NK19-10	6302	All.
Block Island Shelf	NK19-10	6303	All.
Block Island Shelf	NK19-10	6304	All.
Block Island Shelf	NK19-10	6305	All.
Block Island Shelf	NK19-10	6306	A, B, C, E, F, I, M.
Block Island Shelf	NK19-10	6352	All.
Block Island Shelf	NK19-10	6353	All.
Block Island Shelf	NK19-10	6354	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O.
Block Island Shelf	NK19-10	6355	A, B, C, D, E, F, G, H, I, J, K.
Block Island Shelf	NK19-10	6402	A, B, C, D, E, F, G, H.
Block Island Shelf	NK19-10	6403	A, B, C, D, E, F, G, H.
Block Island Shelf	NK19-10	6404	A, B, C.

Call Area Fairways South

The boundary of Call Area Fairways South begins at 15 nmi offshore Fire

Island National Seashore in New York. The area is about 43nmi in length from east to west and about 4 nmi in width from north to south. The entire area is

approximately 126.4 square nmi (43,344 hectares) and is described in the table below:

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18-12	6526	O, P.
New York	NK18-12	6527	M, N, O, P.
New York	NK18-12	6528	M, N, O, P.
New York	NK18-12	6529	M, N, O, P.
New York	NK18-12	6530	K, L, M, N, O, P.

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18-12	6531	I, J, K, L, M, N, O, P.
New York	NK18-12	6532	I, J, K, L, M, N, O.
New York	NK18-12	6568	O, P.
New York	NK18-12	6569	G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6570	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6571	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6572	C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6573	All.
New York	NK18-12	6574	All.
New York	NK18-12	6575	All.
New York	NK18-12	6576	All.
New York	NK18-12	6577	All.
New York	NK18-12	6578	All.
New York	NK18-12	6579	All.
New York	NK18-12	6580	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O.
New York	NK18-12	6581	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	6582	A, B, C, D, E, F, G, H, I.
New York	NK18-12	6616	K, L.
New York	NK18-12	6617	D, E, F, G, H, I, J, K, L.
New York	NK18-12	6618	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	6619	A, B, C, D, E, F, G, H.
New York	NK18-12	6620	A, B, C, D, E, F, G, H.
New York	NK18-12	6621	A, B, C, D, E, F, G, H.
New York	NK18-12	6622	A, B, C, D, E, F, G, H.
New York	NK18-12	6623	A, B, C, D.
New York	NK18-12	6624	A, B, C, D.
New York	NK18-12	6625	A, B, C, D.
New York	NK18-12	6626	A, B, C, D.

Call Area Hudson North

The boundary of Call Area Hudson North begins at about 20 nmi from shore, the closest coastal location being

Robert Moses State Park in New York. Jones Beach State Park in New York is about 25 nmi from the area. The area is about 47 nmi in length from east to west and about 30 nmi in width from north

to south. The entire area is approximately 696.9 square nmi (239,040 hectares) and is described in the table below:

Protraction name	Protraction No.	Block No.	Sub-block
Hudson Canyon	NJ18-03	6018	D.
Hudson Canyon	NJ18-03	6019	A, B, C, D, E, F, G, H, J, K, L, O, P.
Hudson Canyon	NJ18-03	6020	All.
Hudson Canyon	NJ18-03	6021	All.
Hudson Canyon	NJ18-03	6022	All.
Hudson Canyon	NJ18-03	6023	A, B, E.
Hudson Canyon	NJ18-03	6069	D.
Hudson Canyon	NJ18-03	6070	A, B, C, D, E, F, G, H, J, K, L, O, P.
Hudson Canyon	NJ18-03	6071	All.
Hudson Canyon	NJ18-03	6072	A, B, C, D, E, F, I, J, M.
Hudson Canyon	NJ18-03	6120	D.
Hudson Canyon	NJ18-03	6121	A, B, C, D, E, F, G, H, K, L.
Hudson Canyon	NJ18-03	6122	A.
New York	NK18-12	6678	M, N, O, P.
New York	NK18-12	6679	M, N, O, P.
New York	NK18-12	6716	N, O, P.
New York	NK18-12	6717	I, J, K, L, M, N, O, P.
New York	NK18-12	6718	I, J, K, L, M, N, O, P.
New York	NK18-12	6719	I, J, K, L, M, N, O, P.
New York	NK18-12	6720	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6721	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6722	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6723	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6724	All.
New York	NK18-12	6725	All.
New York	NK18-12	6726	All.
New York	NK18-12	6727	All.
New York	NK18-12	6728	All.
New York	NK18-12	6729	All.
New York	NK18-12	6730	E, I, J, K, M, N.
New York	NK18-12	6764	L, O, P.
New York	NK18-12	6765	C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6766	All.
New York	NK18-12	6767	All.
New York	NK18-12	6768	All.

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18-12	6769	All.
New York	NK18-12	6770	All.
New York	NK18-12	6771	All.
New York	NK18-12	6772	All.
New York	NK18-12	6773	All.
New York	NK18-12	6774	All.
New York	NK18-12	6775	All.
New York	NK18-12	6776	All.
New York	NK18-12	6777	All.
New York	NK18-12	6778	All.
New York	NK18-12	6779	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O.
New York	NK18-12	6780	A.
New York	NK18-12	6813	K, L, O, P.
New York	NK18-12	6814	B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6815	All.
New York	NK18-12	6816	All.
New York	NK18-12	6817	All.
New York	NK18-12	6818	All.
New York	NK18-12	6819	All.
New York	NK18-12	6820	All.
New York	NK18-12	6821	All.
New York	NK18-12	6822	All.
New York	NK18-12	6823	All.
New York	NK18-12	6824	All.
New York	NK18-12	6825	A, B, C, D, E, F, G, H, I, J, K, L, M.
New York	NK18-12	6826	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	6827	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	6828	A, B, C, D, E, F, G, H, I, J, K.
New York	NK18-12	6829	A.
New York	NK18-12	6862	L.
New York	NK18-12	6863	B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6864	All.
New York	NK18-12	6865	All.
New York	NK18-12	6866	All.
New York	NK18-12	6867	All.
New York	NK18-12	6868	All.
New York	NK18-12	6869	All.
New York	NK18-12	6870	All.
New York	NK18-12	6871	All.
New York	NK18-12	6872	All.
New York	NK18-12	6873	All.
New York	NK18-12	6874	A, B, M, N.
New York	NK18-12	6913	C, D, H.
New York	NK18-12	6914	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6915	All.
New York	NK18-12	6916	All.
New York	NK18-12	6917	All.
New York	NK18-12	6918	All.
New York	NK18-12	6919	All.
New York	NK18-12	6920	All.
New York	NK18-12	6921	All.
New York	NK18-12	6922	All.
New York	NK18-12	6923	All.
New York	NK18-12	6924	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6925	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6926	M.
New York	NK18-12	6964	C, D, H.
New York	NK18-12	6965	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6966	All.
New York	NK18-12	6967	All.
New York	NK18-12	6968	All.
New York	NK18-12	6969	All.
New York	NK18-12	6970	All.
New York	NK18-12	6971	All.
New York	NK18-12	6972	All.
New York	NK18-12	6973	All.
New York	NK18-12	6974	All.
New York	NK18-12	6975	All.
New York	NK18-12	6976	A, E, I, M.
New York	NK18-12	7015	C, D, H.
New York	NK18-12	7016	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	7017	All.
New York	NK18-12	7018	All.
New York	NK18-12	7019	All.

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18-12	7020	All.
New York	NK18-12	7021	All.
New York	NK18-12	7022	All.
New York	NK18-12	7023	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	7024	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	7025	A, B, C, D, E, F, G, H, I, J.
New York	NK18-12	7066	C, D, H.
New York	NK18-12	7067	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	7068	All.
New York	NK18-12	7069	All.
New York	NK18-12	7070	All.
New York	NK18-12	7071	All.
New York	NK18-12	7072	All.
New York	NK18-12	7073	M.
New York	NK18-12	7117	D.
New York	NK18-12	7118	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	7119	All.
New York	NK18-12	7120	All.
New York	NK18-12	7121	All.
New York	NK18-12	7122	All.
New York	NK18-12	7123	All.

Call Area Hudson South

The boundary of Call Area Hudson South begins 15 nmi offshore Neptune,

New Jersey. The area is about 62 nmi in length from north to south and about 30 nmi in width from east to west. The

entire area is approximately 974 square nmi (334,080 hectares) and is described in the table below:

Protraction name	Protraction No.	Block No.	Sub-block
Hudson Canyon	NJ18-03	6005	B, C, D, E, F, G, H, J, K, L, M, N, O, P.
Hudson Canyon	NJ18-03	6006	All.
Hudson Canyon	NJ18-03	6007	All.
Hudson Canyon	NJ18-03	6008	All.
Hudson Canyon	NJ18-03	6009	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Hudson Canyon	NJ18-03	6010	I, M, N.
Hudson Canyon	NJ18-03	6055	B, C, D, G, H, K, L, O, P.
Hudson Canyon	NJ18-03	6056	All.
Hudson Canyon	NJ18-03	6057	All.
Hudson Canyon	NJ18-03	6058	All.
Hudson Canyon	NJ18-03	6059	All.
Hudson Canyon	NJ18-03	6060	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Hudson Canyon	NJ18-03	6061	I, M, N.
Hudson Canyon	NJ18-03	6105	C, D, G, H, L, P.
Hudson Canyon	NJ18-03	6106	All.
Hudson Canyon	NJ18-03	6107	All.
Hudson Canyon	NJ18-03	6108	All.
Hudson Canyon	NJ18-03	6109	All.
Hudson Canyon	NJ18-03	6110	All.
Hudson Canyon	NJ18-03	6111	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Hudson Canyon	NJ18-03	6112	I, M, N.
Hudson Canyon	NJ18-03	6155	D, H, L.
Hudson Canyon	NJ18-03	6156	All.
Hudson Canyon	NJ18-03	6157	All.
Hudson Canyon	NJ18-03	6158	All.
Hudson Canyon	NJ18-03	6159	All.
Hudson Canyon	NJ18-03	6160	All.
Hudson Canyon	NJ18-03	6161	All.
Hudson Canyon	NJ18-03	6162	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P.
Hudson Canyon	NJ18-03	6163	E, I, J, M, N, O.
Hudson Canyon	NJ18-03	6206	All.
Hudson Canyon	NJ18-03	6207	All.
Hudson Canyon	NJ18-03	6208	All.
Hudson Canyon	NJ18-03	6209	All.
Hudson Canyon	NJ18-03	6210	All.
Hudson Canyon	NJ18-03	6211	All.
Hudson Canyon	NJ18-03	6212	All.
Hudson Canyon	NJ18-03	6213	All.
Hudson Canyon	NJ18-03	6214	E, I, J, M, N, O.
Hudson Canyon	NJ18-03	6256	All.
Hudson Canyon	NJ18-03	6257	All.
Hudson Canyon	NJ18-03	6258	All.
Hudson Canyon	NJ18-03	6259	All.
Hudson Canyon	NJ18-03	6260	All.

Protraction name	Protraction No.	Block No.	Sub-block
Hudson Canyon	NJ18-03	6261	All.
Hudson Canyon	NJ18-03	6262	All.
Hudson Canyon	NJ18-03	6263	All.
Hudson Canyon	NJ18-03	6264	All.
Hudson Canyon	NJ18-03	6265	E, I, J, M, N, O.
Hudson Canyon	NJ18-03	6306	All.
Hudson Canyon	NJ18-03	6307	All.
Hudson Canyon	NJ18-03	6308	All.
Hudson Canyon	NJ18-03	6309	All.
Hudson Canyon	NJ18-03	6310	All.
Hudson Canyon	NJ18-03	6311	All.
Hudson Canyon	NJ18-03	6312	All.
Hudson Canyon	NJ18-03	6313	All.
Hudson Canyon	NJ18-03	6314	All.
Hudson Canyon	NJ18-03	6315	All.
Hudson Canyon	NJ18-03	6316	E, I, J, M, N, O.
Hudson Canyon	NJ18-03	6355	D, H, L, P.
Hudson Canyon	NJ18-03	6356	All.
Hudson Canyon	NJ18-03	6357	All.
Hudson Canyon	NJ18-03	6358	All.
Hudson Canyon	NJ18-03	6359	All.
Hudson Canyon	NJ18-03	6360	All.
Hudson Canyon	NJ18-03	6361	All.
Hudson Canyon	NJ18-03	6362	All.
Hudson Canyon	NJ18-03	6363	All.
Hudson Canyon	NJ18-03	6364	All.
Hudson Canyon	NJ18-03	6365	All.
Hudson Canyon	NJ18-03	6366	A, E.
Hudson Canyon	NJ18-03	6405	D, H, L, P.
Hudson Canyon	NJ18-03	6406	All.
Hudson Canyon	NJ18-03	6407	All.
Hudson Canyon	NJ18-03	6408	All.
Hudson Canyon	NJ18-03	6409	All.
Hudson Canyon	NJ18-03	6410	All.
Hudson Canyon	NJ18-03	6411	All.
Hudson Canyon	NJ18-03	6412	All.
Hudson Canyon	NJ18-03	6413	All.
Hudson Canyon	NJ18-03	6414	All.
Hudson Canyon	NJ18-03	6415	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O.
Hudson Canyon	NJ18-03	6455	D, H, L, P.
Hudson Canyon	NJ18-03	6456	All.
Hudson Canyon	NJ18-03	6457	All.
Hudson Canyon	NJ18-03	6458	All.
Hudson Canyon	NJ18-03	6459	All.
Hudson Canyon	NJ18-03	6460	All.
Hudson Canyon	NJ18-03	6461	All.
Hudson Canyon	NJ18-03	6462	All.
Hudson Canyon	NJ18-03	6463	All.
Hudson Canyon	NJ18-03	6464	All.
Hudson Canyon	NJ18-03	6465	A, B, C, E, F, I, J, M.
Hudson Canyon	NJ18-03	6505	D, G, H, K, L, O, P.
Hudson Canyon	NJ18-03	6506	All.
Hudson Canyon	NJ18-03	6507	All.
Hudson Canyon	NJ18-03	6508	All.
Hudson Canyon	NJ18-03	6509	All.
Hudson Canyon	NJ18-03	6510	All.
Hudson Canyon	NJ18-03	6511	All.
Hudson Canyon	NJ18-03	6512	All.
Hudson Canyon	NJ18-03	6513	A, B, C, D, E, F, G, H, I, J, K, L, M, N.
Hudson Canyon	NJ18-03	6514	A, B, C, D, E, F, G, H, I, J, K, L.
Hudson Canyon	NJ18-03	6515	A.
Hudson Canyon	NJ18-03	6555	C, D, G, H, K, L, O, P.
Hudson Canyon	NJ18-03	6556	All.
Hudson Canyon	NJ18-03	6557	All.
Hudson Canyon	NJ18-03	6558	All.
Hudson Canyon	NJ18-03	6559	All.
Hudson Canyon	NJ18-03	6560	All.
Hudson Canyon	NJ18-03	6561	All.
Hudson Canyon	NJ18-03	6562	All.
Hudson Canyon	NJ18-03	6563	A, B, E, I.
Hudson Canyon	NJ18-03	6605	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6606	All.
Hudson Canyon	NJ18-03	6607	All.
Hudson Canyon	NJ18-03	6608	All.

Protraction name	Protraction No.	Block No.	Sub-block
Hudson Canyon	NJ18-03	6609	All.
Hudson Canyon	NJ18-03	6610	All.
Hudson Canyon	NJ18-03	6611	All.
Hudson Canyon	NJ18-03	6612	A, B, C, E, F, G, I, J, M, N.
Hudson Canyon	NJ18-03	6655	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6656	All.
Hudson Canyon	NJ18-03	6657	All.
Hudson Canyon	NJ18-03	6658	All.
Hudson Canyon	NJ18-03	6659	All.
Hudson Canyon	NJ18-03	6660	All.
Hudson Canyon	NJ18-03	6661	A, B, C, D, E, F, G, H, I, J, K, L, M, N, O.
Hudson Canyon	NJ18-03	6662	A.
Hudson Canyon	NJ18-03	6705	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6706	All.
Hudson Canyon	NJ18-03	6707	All.
Hudson Canyon	NJ18-03	6708	All.
Hudson Canyon	NJ18-03	6709	All.
Hudson Canyon	NJ18-03	6710	All.
Hudson Canyon	NJ18-03	6711	A, B, C, E, F, I, M.
Hudson Canyon	NJ18-03	6755	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6756	All.
Hudson Canyon	NJ18-03	6757	All.
Hudson Canyon	NJ18-03	6758	All.
Hudson Canyon	NJ18-03	6759	All.
Hudson Canyon	NJ18-03	6760	A, B, C, D, E, F, G, H, I, J, K, M, N.
Hudson Canyon	NJ18-03	6805	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6806	All.
Hudson Canyon	NJ18-03	6807	All.
Hudson Canyon	NJ18-03	6808	All.
Hudson Canyon	NJ18-03	6809	All.
Hudson Canyon	NJ18-03	6810	A, B, E
Hudson Canyon	NJ18-03	6855	B, C, D, F, G, H, J, K, L, N, O, P.
Hudson Canyon	NJ18-03	6856	All.
Hudson Canyon	NJ18-03	6857	All.
Hudson Canyon	NJ18-03	6858	All.
Hudson Canyon	NJ18-03	6859	A, B, C, D, E, F, G, H, I, J, K, M, N.
New York	NK18-12	6854	H, L, P.
New York	NK18-12	6855	I, M.
New York	NK18-12	6904	D, H, L.
New York	NK18-12	6905	A, B, E, F, G, I, J, K, L, N, O, P.
New York	NK18-12	6954	G, K, L, O, P.
New York	NK18-12	6955	I, M, N, O.
New York	NK18-12	7004	C, D, G, H.
New York	NK18-12	7005	A, B, C, D, E, F, G, H, J, K, L, N, O, P.
New York	NK18-12	7006	E, F, I, J, K, L, M, N, O, P.
New York	NK18-12	7007	M.
New York	NK18-12	7055	B, C, D, F, G, H, J, K, L, N, O, P.
New York	NK18-12	7056	All.
New York	NK18-12	7057	A, B, E, F, G, I, J, K, L, M, N, O, P.
New York	NK18-12	7058	M.
New York	NK18-12	7105	B, C, D, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	7106	All.
New York	NK18-12	7107	All.
New York	NK18-12	7108	A, B, E, F, G, I, J, K, L, M, N, O, P.
New York	NK18-12	7109	I, M, N.

6.2 Unsolicited Lease Request—PNE Wind

On December 30, 2016, BOEM received an unsolicited lease request from PNE Wind USA, Inc. (PNE) for 40,920 acres offshore New York. PNE seeks a lease to develop a 300–400 MW project approximately 28 nmi southeast from the Ruland Road Substation, as described below. BOEM is subsuming portions of PNE's unsolicited request into the Call Areas, and will subject the

unsolicited request to the same Area ID analysis and determination of competitive interest as the remainder of the Call Areas.

The unsolicited request is mostly located within the Call Area Fairways South and begins approximately 13.5 nmi from the shore near Fire Island National Seashore in New York and extends roughly 3 nmi seaward. It extends from west to east approximately 15 nmi. It should be noted that 15 lease blocks of the original unsolicited

requests have not been included as part of this Call. Specifically, 11 blocks in the northwest portion of the original request have been excluded by the 15 nautical mile visual buffer, and four blocks along the southern and south eastern border of the original request were removed to accommodate a one nautical mile buffer from an existing navigational fairway. The entire area is approximately 48.3 square nmi (16,560 hectares) and is described in the table below:

Protraction name	Protraction No.	Block No.	Sub-block
New York	NK18-12	6567	K, L, O, P.
New York	NK18-12	6568	I, J, K, L, M, N, O, P.
New York	NK18-12	6569	H, I, J, K, L, M, N, O, P.
New York	NK18-12	6570	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6571	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6572	E, F, G, H, I, J, K, L, M, N, O, P.
New York	NK18-12	6573	E, I, M.
New York	NK18-12	6617	C, D, G, H, K, L.
New York	NK18-12	6618	A, B, C, D, E, F, G, H, I, J, K, L.
New York	NK18-12	6619	A, B, C, D, E, F, G, H, I, J, K.
New York	NK18-12	6620	A, B, C, D, E, F, G, H.
New York	NK18-12	6621	A, B, C, D, E, F, G, H.
New York	NK18-12	6622	A, B, C, D, E, F, G, H.
New York	NK18-12	6623	A, E.

7 Requested Information From Interested or Affected Parties

BOEM requests specific and detailed comments from the public and other interested or affected parties regarding the following:

1. Geological, geophysical, and biological conditions (including bottom and shallow hazards and live bottom) in the area described in this notice.

2. Information regarding the identification of historic properties or potential effects to historic properties from leasing, site assessment activities (including the construction of meteorological towers or the installation of meteorological buoys), or commercial wind energy development in the areas identified in this Call. This includes potential offshore archaeological sites or other historic properties within the areas described in this notice and also onshore historic properties that could potentially be affected by renewable energy activities within the Call Areas. This information will inform BOEM’s review of future undertakings under Section 106 of the NHPA and under NEPA.

3. Information relating to whether or not the visibility of wind turbines located in the offshore Call Areas identified in this notice would adversely affect the landscape or seascape of coastal areas of New York and/or New Jersey, and ideas or strategies that could be used to help mitigate or minimize any adverse visual effects, such as: How far offshore turbines should be placed to minimize the visual impact from the coastline; specific locations or areas to avoid development altogether; or any other strategies to help reduce the visual footprint (for example, the color of the turbines [towers, nacelle, blades], the arrangement or pattern of the turbine array, the dimension of the turbines (e.g., height and blade span), visual navigational aviation lighting requirements, the maximum number of

turbines that should be allowed in a specific area, etc.).

4. Information about potentially conflicting uses of the Call Areas, including navigation (commercial and recreational vessel use), recreational fishing hotspots, and commercial fishing areas (see Section 5.1 for additional information regarding known fishing grounds located in the Call Areas).

5. Additional information about port-to-port or port-to-fishing location corridors, determination of appropriate buffers for safety based on the type of vessel between these routes, and the placement of structures in the Call Areas, as well as the density of the types of vessels that utilize these corridors and their ability to use alternative corridors.

6. Additional information regarding recreational and commercial fisheries that operate within these Call Areas, including, but not limited to, the use of the area for recreational tuna and marlin tournaments, the fishing gear types used, seasonal use, and suggestions for reducing use conflicts in response to this Call.

7. BOEM is currently participating in interagency discussions with DOD, Department of Energy, Federal Aviation Administration, and NOAA and conducting research on the potential effect of offshore wind facilities on coastal radar systems. BOEM is requesting additional information regarding the potential for interference with radar systems covering the Call Areas, including, but not limited to, the use of coastal oceanographic radar observations for offshore search and rescue operations and for environmental monitoring.

8. General interest by a developer(s) in constructing a backbone transmission system that would transport electricity generated by wind projects located offshore in the New York Bight, including a general description of the

transmission’s proposed path and potential interconnection points.

9. Available and pertinent data and information concerning renewable energy resources and environmental conditions in and around the Call Areas. Where applicable, spatial information should be submitted in a format compatible with ArcGIS 10.0 in a geographic coordinate system (NAD 83).

10. Potential buffers between WEAs within the Call Area. Within the *Area for Consideration* document, the State of New York also included “indicative areas” intended to provide a sense of scale and outline what potential WEAs could look like. The indicative areas were drawn with buffers between the leases, as seen in Europe. Should BOEM delineate its WEAs with buffers to allow for mitigation of potential conflicts, not limited to wake effect, navigation, and/or cumulative environmental effects? Alternatively, should BOEM consider adding stipulations in its leases limiting development within a certain distance of adjacent development without the consent of the other developer (and if so, what distance is appropriate)?

11. Size and number of WEAs within the Call Areas. How should BOEM determine the appropriate size and number of wind energy areas to offer for leasing? As discussed in Section 5, approximately 18% of the Call Areas presented in this document would need to be identified as WEAs to meet the State of New York’s request for four 800 MW lease areas. Considering the goals of states within the region of a potential wind energy area is a crucial component of BOEM’s process. However, BOEM is seeking further information on what additional factors should be considered in this process.

12. Habitats that may require special attention during siting and construction.

13. Biologically important areas (whether persistent or seasonal) for fish (also see Section 5.3), avian, marine mammal, or sea turtle species, which may be vital for migration, foraging or

other biologically important behaviors, or that may seasonally concentrate these species in high numbers.

14. Other relevant socioeconomic, biological, and environmental information.

8 Required Nomination Information

If you intend to submit one or more nominations for a commercial wind energy lease in the Call Areas identified in this notice, you must provide the following information for each nomination:

1. The BOEM Protraction name, number, and specific whole or partial OCS blocks within the Call Area(s) that you are interested in leasing, inclusive of any potential buffers with adjacent leases. Each area you identify should be sized appropriately to accommodate the development of a reasonable wind energy facility. For context, BOEM would consider the nomination of a block of approximately 80,000 acres reasonable, as it would likely be able to support an 800 MW wind energy facility (assuming a power density of 0.01 MW per acre). Nominations that considerably exceed approximately 80,000 acres, *e.g.* all of the Call Areas, may be deemed unreasonable and not accepted by BOEM. This information should be submitted as a spatial file compatible with ArcGIS 10.0 in a geographic coordinate system (NAD 83) in addition to your hard copy submittal. If your proposed lease area(s) includes one or more partial blocks, please describe those partial blocks in terms of a sixteenth (*i.e.*, sub-block) of an OCS block. If you are commercially interested in an area outside the Call Areas deeper than 60m of water depth, BOEM may consider your nomination either as part of this leasing process or in a separate process at a later date.

2. A description of your objectives and the facilities that you would use to achieve those objectives.

3. A preliminary schedule of proposed activities, including those leading to commercial operations.

4. Available and pertinent data and information concerning renewable energy resources and environmental conditions in the block(s) area(s) that you wish to lease, including energy and resource data and information used to evaluate the Call Area. Where applicable, spatial information should be submitted in a format compatible with ArcGIS 10.0 in a geographic coordinate system (NAD 83).

5. Documentation demonstrating that you are legally qualified to hold a lease, as set forth in 30 CFR 585.106 and 585.107(c). Examples of the documentation appropriate for

demonstrating your legal qualifications and related guidance can be found in Chapter 2 and Appendix B of the BOEM Renewable Energy Framework Guide Book available at: http://www.boem.gov/REnGuidebook_03/. Legal qualification documents will be placed in an official file that may be made available for public review. If you wish that any part of your legal qualification documentation be kept confidential, clearly identify what should be kept confidential, and submit it under separate cover (see "Protection of Privileged or Confidential Information Section," below).

6. Documentation demonstrating that you are technically and financially capable of constructing, operating, maintaining and decommissioning the facilities described in (2) above, as set forth in 30 CFR 585.107(a). Guidance regarding the required documentation to demonstrate your technical and financial qualifications can be found at: <http://www.boem.gov/Renewable-Energy-Program/Regulatory-Information/QualificationGuidelines-pdf.aspx>. Any documentation you submit to demonstrate your legal, technical, and financial qualifications must be provided to BOEM in both paper and electronic formats. BOEM considers an Adobe PDF file on a storage media device to be an acceptable format for an electronic copy.

It is not required that you submit a nomination in response to this Call in order to participate in a potential future competitive lease sale in the New York Bight, if BOEM determines that competitive interest exists in one or more portions of the Call Area after the close of the Call comment period. However, you will not be able to participate in such a lease sale unless you demonstrate prior to the sale that you are legally, technically, and financially qualified to hold a BOEM renewable energy lease. To ensure that BOEM has sufficient time to process your qualifications package, you should submit this package during the PSN 60-day public comment period. More information can be found at: <http://www.boem.gov/Renewable-Energy-Program/Regulatory-Information/QualificationGuidelines-pdf.aspx>.

9 Protection of Privileged or Confidential Information

9.1 Freedom of Information Act

BOEM will protect privileged or confidential information that you submit when required by the Freedom of Information Act (FOIA). Exemption 4 of FOIA applies to trade secrets and commercial or financial information

that you submit that is privileged or confidential. If you wish to protect the confidentiality of such information, clearly mark it and request that BOEM treat it as confidential. BOEM will not disclose such information if it qualifies for exemption from disclosure under FOIA. Please label privileged or confidential information "Contains Confidential Information" and consider submitting such information as a separate attachment.

BOEM will not treat as confidential any aggregate summaries of such information or comments not containing such information. Additionally, BOEM will not treat as confidential (1) the legal title of the nominating entity (for example, the name of your company), or (2) the list of whole or partial blocks that you are nominating. Information that is not labeled as privileged or confidential will be regarded by BOEM as suitable for public release.

9.2 Personal Identifying Information

BOEM does not consider anonymous comments; please include your name and address as part of your submittal. You should be aware that your entire comment, including your name, address, and your personal identifying information, may be made publicly available at any time. All submissions from identified individuals, businesses and organizations will be available for public viewing on regulations.gov. In order for BOEM to withhold from disclosure your personal identifying information, you must identify any information contained in the submittal of your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequence(s) of the disclosure of information, such as embarrassment, injury or other harm.

9.3 Section 304 of the National Historic Preservation Act (16 U.S.C. 470w-3(a))

BOEM is required, after consultation with the Secretary, to withhold the location, character, or ownership of historic resources if it determines that disclosure may, among other things, risk harm to the historic resources or impede the use of a traditional religious site by practitioners. Tribal entities should designate information that falls under Section 304 of NHPA as confidential.

Dated: April 5, 2018.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2018-07445 Filed 4-10-18; 8:45 am]

BILLING CODE 4310-MR-P

DEPARTMENT OF THE INTERIOR**Bureau of Ocean Energy Management****[Docket No. BOEM-2018-0016]****Atlantic Wind Lease Sale 4A (ATLW-4A) Commercial Leasing for Wind Power on the Outer Continental Shelf Offshore Massachusetts—Proposed Sale Notice****AGENCY:** Bureau of Ocean Energy Management, Interior.**ACTION:** Proposed Sale Notice.

SUMMARY: This document is the Proposed Sale Notice (PSN) for the sale of commercial wind energy leases on the Outer Continental Shelf (OCS) offshore Massachusetts, pursuant to the Bureau of Ocean Energy Management's (BOEM) regulations. BOEM proposes to offer for sale two leases: Lease OCS-A 0502 and Lease OCS-A 0503, which are the same Lease Areas (LA) that were unsold during the Atlantic Wind Lease Sale-4 (ATLW-4) on January 29, 2015. In this PSN, you will find information pertaining to the areas available for leasing, proposed lease provisions and conditions, auction details, lease form, criteria for evaluating competing bids, award procedures, appeal procedures, and lease execution. BOEM invites public comment during a 60-day comment period following publication of this notice. The issuance of the proposed leases resulting from this sale would not constitute approval of project-specific plans to develop offshore wind energy. Such plans, expected to be submitted by the auction winner(s), would be subject to subsequent environmental and technical reviews prior to a decision by BOEM to approve development.

DATES: Comments should be submitted electronically or postmarked no later than June 11, 2018. All comments received or postmarked during the comment period will be made available to the public and considered prior to publication of the Final Sale Notice (FSN).

Qualification materials must be postmarked no later than June 11, 2018. Please refer to the "Participation in the Proposed Lease Sale" section for additional information on entity participation and qualification.

ADDRESSES: Potential auction participants, Federal, state, and local government agencies, tribal governments, and other interested parties are requested to submit their written comments on the PSN in one of the following ways:

1. *Electronically:* <http://www.regulations.gov>. In the entry

entitled, "Enter Keyword or ID," enter BOEM-2018-0016 then click "search." Follow the instructions to submit public comments.

2. *Written Comments:* In written form, delivered by hand or by mail, enclosed in an envelope labeled "Comments on Massachusetts PSN" to: Office of Renewable Energy Programs, Bureau of Ocean Energy Management, 45600 Woodland Road, VAM-OREP, Sterling, Virginia 20166.

3. *Qualifications Materials:* Those submitting qualifications materials for the first time, or previously qualified bidders reaffirming their interest in bidding on a lease offshore Massachusetts, should contact Jeff Browning, BOEM Office of Renewable Energy Programs, 45600 Woodland Road, VAM-OREP, Sterling, Virginia 20166, (703) 787-1577, or jeffrey.browning@boem.gov. If you wish to protect the confidentiality of your comments or qualification materials, clearly mark the relevant sections and request that BOEM treat them as confidential. Please label privileged or confidential information with the caption "Contains Confidential Information" and consider submitting such information as a separate attachment. Treatment of confidential information is addressed in the section of this PSN entitled, "Protection of Privileged or Confidential Information." Information that is not labeled as privileged or confidential will be regarded by BOEM as suitable for public release.

FOR FURTHER INFORMATION CONTACT: Jeff Browning, BOEM Office of Renewable Energy Programs, 45600 Woodland Road, VAM-OREP, Sterling, Virginia 20166, (703) 787-1577 or jeffrey.browning@boem.gov.

SUPPLEMENTARY INFORMATION:

Authority: This PSN is published pursuant to subsection 8(p) of the Outer Continental Shelf (OCS) Lands Act (43 U.S.C. 1337(p)), as amended by section 388 of the Energy Policy Act of 2005 (EPA), and the implementing regulations at 30 CFR part 585, including 30 CFR 585.211 and 585.216.

Background*Area for Proposed Leasing*

The two LAs (OCS-A 0502 and OCS-A 0503) described for leasing in this PSN are the same LAs that were unsold in ATLW-4 on January 29, 2015 (see Atlantic Wind Lease Sale 4 Final Sale Notice available at: <https://www.boem.gov/MA-FSN/>). Detailed information regarding the LAs is provided in the section entitled, "Areas Offered for Leasing."

Environmental Reviews

On November 2, 2012, BOEM published a Notice of Availability (NOA) for the *Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf (OCS) Offshore Massachusetts Environmental Assessment* (EA) (77 FR 66185) with a 30-day public comment period. BOEM received 25 comments, which are available at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/MA/Commercial-Wind-Leasing-Offshore-Massachusetts.aspx>. Concurrently with its preparation of the EA, BOEM conducted consultation under the Endangered Species Act (ESA), the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), and the Coastal Zone Management Act (CZMA). BOEM prepared and executed a programmatic agreement (PA) to guide its consultations under section 106 of the National Historic Preservation Act (NHPA). The PA provides for consultations to continue through BOEM's decision-making process regarding the approval, approval with modification, or disapproval of a lessee's Site Assessment Plan (SAP), and allows for phased identification and evaluation of historic properties.

Based on the public comments received in response to the EA, the conclusion of required consultations, and public outreach and information meetings, BOEM made certain revisions to the November 2012 EA. As a result of its analysis in the revised EA, BOEM issued a Finding of No Significant Impact (FONSI) on June 18, 2014 (79 FR 117). The *Commercial Wind Lease Issuance and Site Assessment Activities on the Atlantic Outer Continental Shelf (OCS) Offshore Massachusetts Revised Environmental Assessment* and the FONSI can be found at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/MA/Commercial-Wind-Leasing-Offshore-Massachusetts.aspx>.

BOEM has evaluated the new information and changed circumstances since the FONSI was published, and has determined they would not result in significantly different environmental effects than those described in the June 2014 revised EA. The existing National Environmental Policy Act (NEPA) analyses and associated consultations adequately assess the reasonably foreseeable environmental effects of the issuance of commercial leases and associated site characterization activity in the Massachusetts Wind Energy Area (WEA), which includes the areas that

BOEM proposes to lease in this notice. It is therefore unnecessary for BOEM to perform further NEPA analysis prior to issuing two additional commercial leases within the Massachusetts WEA.

While there is no change to the EA's impact analysis for commercial and recreational fisheries, BOEM has elected to include a lease stipulation to ensure the Lessee would coordinate their activities with and communicate with commercial and recreational fishermen. Prior to the development of this lease stipulation, BOEM had been successful in using its review of survey plans and approval of SAPs to ensure that fisheries liaisons are identified and that lessees are communicating with potentially affected fishing groups. Nevertheless, BOEM included the same stipulation in the New York Lease (OCS-A 0512), and it has determined that this lease stipulation is also prudent for these proposed leases offshore Massachusetts given the importance of fishing to the economies of Southern New England states. The specific lease stipulation is as follows:

Fisheries Communications Plan (FCP) and Fisheries Liaison. The Lessee must develop a publicly available FCP that describes the strategies that the Lessee intends to use for communicating with fisheries stakeholders prior to and during activities in support of the submission of a plan. The FCP must include the contact information for an individual retained by the Lessee as its primary point of contact with fisheries stakeholders (*i.e.*, Fisheries Liaison).

BOEM will conduct additional environmental reviews upon receipt of a lessee's proposed project-specific plans, such as a SAP or Construction and Operations Plan (COP).

Participation in the Proposed Lease Sale

Entities wishing to participate in the proposed sale described in this notice must respond to BOEM during the 60-day comment period. Entities that qualified to participate in the first Massachusetts lease sale (ATLW-4) held on January 29, 2015, must: (1) Affirm their interest in acquiring LAs OCS-A 0502 and/or 0503; (2) notify BOEM of any adverse material changes to their financial and/or technical qualifications, including bankruptcies; and (3) provide any updates to their legal qualifications documentation on file with BOEM. Those companies are:

- Deepwater Wind New England, LLC
- EDF Renewable Development, Inc.
- Fishermen's Energy, LLC
- Green Sail Energy LLC
- Avangrid Renewables LLC (formerly IBERDROLA RENEWABLES, Inc.)

- NRG Bluewater Wind Massachusetts, LLC
- Vineyard Wind LLC (formerly Offshore MW LLC)
- RES America Developments Inc.
- Sea Breeze Energy LLC
- US Mainstream Renewable Power (Offshore) Inc.
- US Wind Inc.

Entities that have filed qualification materials with BOEM to hold a lease offshore Massachusetts since the first Massachusetts lease sale (ATLW-4) held on January 29, 2015, do not need to re-file qualification materials. Those companies are:

- Statoil Wind US LLC
- PNE WIND USA, Inc.

All other entities wishing to participate in the proposed Massachusetts lease sale that have not already been legally, financially, and technically qualified to hold a lease for commercial wind development offshore Massachusetts must submit the required qualification materials by the end of the 60-day comment period for this notice.

Areas of Particular Interest

Stakeholders are encouraged to comment on any matters related to this lease sale that are of interest or concern to them. However, BOEM has identified certain issues as particularly important in developing this lease sale, and we encourage commenters to address these issues specifically.

• **Multiple-Factor Auction Format:** In this PSN, BOEM proposes a lease sale based on a multiple-factor bidding auction format, and a bidding system comprised of a multiple-factor combination of nonmonetary and monetary factors. In such a lease sale, bidders can qualify for nonmonetary credits that effectively offset a percentage of their monetary bids. Bidders that can demonstrate that they have executed a Community Benefits Agreement (CBA) meeting the criteria described below would be eligible for the credit. In other lease sales, BOEM has recognized credits for bidders who could demonstrate that they had executed a Joint Development Agreement (ATLW-1) or a Power Purchase Agreement (ATLW-1, 3, 4, and 5). BOEM welcomes comments regarding whether recognition of CBAs in this lease sale is appropriate, whether BOEM should recognize one or more other nonmonetary factors in this lease sale, and if so, which ones and why. BOEM also welcomes comments on the amount of any proposed credit, including the 5% credit proposed for CBAs.

• **Cap on Nonmonetary Credits:** BOEM is considering adding a

maximum dollar amount cap on the worth of the nonmonetary credit. The cap amount would be identified in the Final Sale Notice. Such a cap would allow BOEM to limit the worth of a nonmonetary credit in BOEM's sale. Commenters are encouraged to address whether a cap is appropriate, and if so, for which type of credit and at what amount.

• **Lease Area Delineation:** In this PSN, BOEM has proposed LAs that constitute the portions of the Massachusetts WEA that went unsold in ATLW-4 in 2015. This choice reflects the fact that these areas have already undergone BOEM's rigorous environmental and spatial use analyses and been the subject of substantial public comment. Nonetheless, BOEM seeks comment on whether the division of the remaining portions of the WEA remains appropriate and, if not, what alternate divisions (potentially creating more than two LAs) would be more appropriate and why. BOEM also seeks comment on whether (and, if so, how) it should increase the number of leases offered and/or redraw boundaries between or among the leases.

• **Addition of Buffer Requirement:** One of the proposed LAs abuts another BOEM-issued renewable energy lease. Each lessee is entitled to the full enjoyment of its lease, free from unreasonable interference from other lessees' activities. BOEM is particularly concerned about the potential for interference in the form of lease "oversail" (*i.e.*, entry of wind turbine generator (WTG) blades into the airspace above an adjoining lease) or wake effects (*i.e.*, a significant reduction in the wind resource entering a lease due to the close proximity of WTGs on an adjacent lease). To ensure fair and mutual enjoyment of adjacent leases, BOEM is considering imposing buffer requirements in its leases barring WTG construction within a certain distance of an adjacent lease. BOEM welcomes comment on (a) whether such a requirement is appropriate; (b) if so, what distance from the adjacent lease is reasonable; and (c) whether such a requirement, if appropriate, is best imposed at the leasing stage or a subsequent stage (such as plan approval).

• **Deadlines and Milestones for Bidders:** This section describes the major deadlines and milestones in the auction process from publication of this PSN to execution of leases pursuant to this proposed sale. This process is organized into five stages: (1) The PSN comment period; (2) from the end of PSN comment period to publication of the PSN; (3) the FSN waiting period; (4)

conducting the auction; and (5) from the auction to Lease Execution.

The PSN Comment Period:

- *Submit Comments:* The public is invited to submit comments during this 60-day period, which will expire on June 11, 2018.

- *Public Seminar:* BOEM will host a public seminar to discuss the lease sale process and the auction format. The time and place of the seminar will be announced by BOEM and published on the BOEM website at <http://www.boem.gov/Massachusetts/>. No registration or RSVP is required to attend.

- *Submit Qualifications Materials:*

All qualifications materials must be received by BOEM by the end of the 60-day PSN comment period June 11, 2018. This includes materials sufficient to establish a company's legal, technical and financial qualifications pursuant to 30 CFR 585.106 and 585.107.

End of PSN Comment Period to FSN Publication:

- *Review Comments:* BOEM will review all comments submitted in response to the PSN during the comment period.

- *Finalize Qualifications Reviews:* Prior to the publication of the FSN, BOEM will complete any outstanding reviews of bidder qualifications materials submitted during the PSN comment period. The final list of eligible bidders will be published in the FSN.

- *Prepare the FSN:* BOEM will prepare the FSN by updating information contained in the PSN where appropriate.

- *Publish FSN:* BOEM will publish the FSN in the **Federal Register**.

FSN Waiting Period: During this period, qualified bidders must take several steps to remain eligible to participate in the auction.

- *Bidder's Financial Form (BFF):* BOEM must receive each qualified bidder's completed and signed BFF no later than the date listed in the FSN. Typically, this deadline is approximately 14 calendar days after publication of the FSN in the **Federal Register**. BOEM will consider extensions to this deadline only if BOEM determines that the failure to timely submit the BFF was caused by events beyond the bidder's control. Blank BFFs can be found at: <http://www.boem.gov/Massachusetts/>. Once the BFF has been processed, bidders may log into pay.gov and submit bid deposits (see next bullet). BOEM will only accept an originally executed paper copy of the BFF, and will not consider for this auction BFFs submitted for previous lease sales. The BFF must be

executed by an authorized representative as shown on the bidder's legal qualifications. Each bidder is required to sign the self-certification in the BFF, in accordance with 18 U.S.C. 1001 (Fraud and False Statements).

- *Bid Deposits:* Each qualified bidder must submit a bid deposit of \$450,000 no later than the date listed in the FSN. Typically, this deadline is approximately 30 calendar days after the publication of the FSN. BOEM will consider extensions to this deadline only if BOEM determines that the failure to timely submit the bid deposit was caused by events beyond the bidder's control.

- *Nonmonetary Package:* Each bidder must submit a nonmonetary package, if it is applying for a credit as described in the "Nonmonetary Auction Procedures" section of this notice. The due date for submission of the nonmonetary package is normally the same as the bid deposit deadline, approximately 30 calendar days after the publication of the FSN.

- *Mock Auction:* BOEM will hold a Mock Auction that is open only to qualified bidders who have met the requirements and deadlines for auction participation, including submission of the bid deposit. Final details of the Mock Auction will be provided in the FSN.

- *Review of Nonmonetary Packages:* Shortly before the monetary auction, the Nonmonetary Panel (the Panel) will meet to consider nonmonetary packages. The panel will send determinations of eligibility for nonmonetary credits to BOEM, which will inform each bidder by email whether or not they have been awarded a credit for use during the lease sale. BOEM will not publicly disclose which bidders, if any, were awarded nonmonetary credits until after the lease sale.

Conducting the Auction: BOEM, through its contractor, will hold an auction as described in the FSN. The auction will take place no sooner than 30 days following publication of the FSN in the **Federal Register**. The estimated timeframes described in this PSN assume the auction will take place approximately 45 days after publication of the FSN. Final dates will be included in the FSN.

- *Monetary Auction:* The monetary auction will be conducted on the date specified in the FSN.

- *Announce Provisional Winners:* BOEM will announce the provisional winners of the lease sale after the auction ends.

From Auction to Lease Execution: There are several steps between the

conclusion of the auction and execution of the lease.

- *Reconvene the Panel:* The Panel will reconvene to verify auction results.

- *Bid Deposit Refund:* BOEM will refund the bid deposit of any bidder that did not win a lease. BOEM will provide a written explanation of why the bidder did not win.

- *Department of Justice (DOJ) Review:* The DOJ has 30 days in which to conduct an antitrust review of the auction in consultation with the Federal Trade Commission, pursuant to 43 U.S.C. 1337(c).

- *Delivery of Leases:* BOEM will send three lease copies to each winner, with instructions on how to sign the leases. The first year's rent is due 45 days after the winner receives the lease copies for execution.

- *Return the Leases:* Within 10 business days of receiving the lease copies, the auction winners must post financial assurance, pay any outstanding balance of their bonus bids (*i.e.*, winning monetary bid amount minus bid deposit and any applicable nonmonetary credit), and sign and return the three signed lease copies.

- *Execution of Leases:* Once BOEM has received the signed lease copies and verified that it has received all other required materials, BOEM will execute the leases if appropriate.

Area Offered for Leasing: The areas described for leasing in this PSN are the same as the two unsold LAs in the ATLW-4: Lease OCS-A 0502 and Lease OCS-A 0503. Lease OCS-A 0502 consists of 248,015 acres and Lease OCS-A 0503 consists of 140,554 acres. The total area is approximately 388,569 acres. A description of the LAs can be found in Addendum "A" of the proposed leases, which BOEM has made available with this notice on its website at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/Massachusetts.aspx>.

Map of the Area Offered for Leasing

A map of the two proposed LAs and a table of the boundary coordinates in X, Y (eastings, northings) UTM Zone 18, NAD83 Datum and geographic X, Y (longitude, latitude), NAD83 Datum can be found at the following URL: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/Massachusetts.aspx>.

Delineation of the Leasing Areas

In this notice, BOEM proposes to auction the two LAs previously offered in ATLW-4 as lease numbers OCS-A 0502 and OCS-A 0503. Prior to that sale, BOEM commissioned the Department of Energy's National

Renewable Energy Laboratory (NREL) to develop a methodology for delineation of the Massachusetts WEA into four non-overlapping LAs for BOEM, two of which were sold in that sale. The delineation report is available on BOEM's website at <http://www.nrel.gov/docs/fy14osti/60942.pdf>.

Withdrawal of Blocks: Interested parties should note that BOEM reserves the right to withdraw portions of the LAs prior to its execution of a lease based upon comments received in response to this PSN and other relevant information provided to the Bureau.

Financial Terms and Conditions: This section provides an overview of the annual payments required of a lessee that are described in the proposed leases, and the financial assurance requirements that will be associated with each lease if it is awarded.

Rent

The first year's rent payment of \$3 per acre for the entire LA is due within 45 days of the date the auction winner receives the lease for execution. Thereafter, annual rent payments are due on the anniversary of the Effective Date of the lease (*i.e.*, the Lease Anniversary). Once commercial operations commence, rent will be charged on the remaining part of the lease not authorized for commercial operations, *i.e.*, not generating electricity. However, instead of geographically dividing the LA into acreage that is "generating" and acreage that is "non-generating," the fraction of the lease accruing rent is based on the fraction of the total nameplate capacity of the project that is not yet in operation. That fraction is calculated as the nameplate capacity (as defined herein) that is not yet authorized for commercial operations at the time payment is due, divided by the maximum nameplate capacity after full installation of the project, as defined in the COP. This fraction is then multiplied by the amount of rent that would be due for the Lessee's entire LA at the rental rate of \$3 per acre, to obtain the annual rent due for a given year.

For example, for a lease the size of 248,015 acres (the size of the LA OCS-A 0502), the amount of rent payment would be \$744,045 per year if no portion of the leased area is authorized for commercial operations. If 500 megawatts (MW) of a project's nameplate capacity is operating (or authorized for operation), and its most recent approved COP specifies a maximum nameplate capacity of 1000 MW, the rent payment would be \$372,023. For the above example, this would be calculated as follows: 500

MW/1000 MW \times (\$3/acre \times 248,015 acres) = \$372,023. BOEM requests comments on whether it would be appropriate to adjust the proposed annual rent to something other than \$3 per acre.

The Lessee also must pay rent for any project easement associated with the lease, commencing on the date that BOEM approves the COP (or COP modification) that describes the project easement. Annual rent for a project easement 200-foot wide and centered on the transmission cable is \$70.00 per statute mile. For any additional acreage required, the Lessee must also pay the greater of \$5.00 per acre per year or \$450.00 per year.

Operating Fee

For the purposes of calculating the initial annual proposed operating fee payment, an operating fee rate is applied to a proxy for the wholesale market value of the electricity expected to be generated from the project during its first twelve months of operations. This initial payment is prorated to reflect the period between the commencement of commercial operations and the Lease Anniversary. The initial annual operating fee payment is due within 45 days of the commencement of commercial operations. Thereafter, subsequent annual operating fee payments are due on or before each Lease Anniversary. The subsequent annual operating fee payments are calculated by multiplying an operating fee rate by the imputed wholesale market value of the projected annual electric power production. For the purposes of this calculation, the imputed market value is the product of the project's annual nameplate capacity, the total number of hours in the year (8,760), a capacity factor, and the annual average price of electricity derived from a historical regional wholesale power price index. For example, an annual operating fee for a 100 MW wind facility operating at 40% capacity with a regional wholesale power price of \$40/MWh under an operating fee rate of 0.02 (*i.e.*, 2%) would be calculated as follows: 100 MW \times 8,760 hours/year \times 0.4 \times \$40/MWh power price \times 0.02 = \$280,320.

Operating Fee Rate: BOEM is proposing a fixed operating fee rate of 0.02 (*i.e.*, 2%) during the project's entire life of commercial operations. BOEM requests comments on whether it would be appropriate to adjust this rate.

Nameplate Capacity: Nameplate capacity is the maximum rated electric output, expressed in MW that the turbines of the wind facility under commercial operations can produce at

their rated wind speed as designated by the turbine's manufacturer. The nameplate capacity at the start of each year of commercial operations on the lease will be specified in the COP. For example, if a Lessee has 20 turbines under commercial operations rated by the design manufacturer at 5 MW of output each, the nameplate capacity of the wind facility at the rated wind speed of the turbines would be 100 MW.

Capacity Factor: The capacity factor relates to the amount of energy delivered to the grid during a period of time compared to the amount of energy the wind facility would have produced at full capacity during that same period of time. This factor is represented as a decimal between zero and one. There are several reasons why the amount of power delivered is less than the theoretical 100% of capacity. For a wind facility, the capacity factor is mostly determined by the availability of wind. Transmission line loss and down time for maintenance or other purposes also affect the capacity factor.

The capacity factor for the year in which the Commercial Operation Date occurs, and for the first six full years of commercial operations on the lease, is set to 0.4 (*i.e.*, 40%). At the end of the sixth year, the capacity factor may be adjusted to reflect the performance over the previous five years based upon the actual metered electricity generation at the delivery point to the electrical grid. Similar adjustments to the capacity factor may be made once every five years thereafter. The maximum change in the capacity factor from one period to the next will be limited to plus or minus 10 percent of the previous period's value.

Wholesale Power Price Index: The wholesale power price, expressed in dollars per MW-hour, is determined at the time each annual operating fee payment is due, based on the weighted average of the inflation-adjusted peak and off-peak spot price indices for the Northeast—Massachusetts Hub power market for the most recent year of data available. The wholesale power price is adjusted for inflation from the year associated with the published spot price indices to the year in which the operating fee is to be due based on the Lease Anniversary, using annual implicit price deflators as reported by the U.S. Department of Commerce Bureau of Economic Analysis.

Financial Assurance

Within 10 business days after receiving the lease copies, the provisional winner must provide an initial lease-specific bond or other approved means of meeting the Lessor's

initial financial assurance requirements, in the amount of \$100,000. BOEM will determine the amount of the SAP, COP, supplemental, and decommissioning financial assurance requirements on a case-by-case basis based on estimates of cost to meet all accrued lease obligations.

The financial terms can be found in Addendum "B" of the proposed leases, which BOEM has made available with this notice on its website at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/Massachusetts.aspx>.

Place and Time: The auction will be held online. The time that the auction will be held will be published in the FSN. The date has not been finalized, but will be no earlier than 30 days after publication of the FSN in the **Federal Register**.

Public Seminar: BOEM will host a public seminar to review the auction format, explain the auction rules, and demonstrate the auction process with potential bidders and other stakeholders. BOEM will announce the time and place of the seminar and published it on the BOEM website. No registration or RSVP will be required to attend.

Mock Auction: BOEM will host a Mock Auction to educate qualified bidders about the procedures to be employed during the auction and to answer questions. The Mock Auction will take place between the publication of the FSN in the **Federal Register** and the date of the auction. Following publication of the FSN in the **Federal Register**, details of the Mock Auction will be distributed to those eligible to participate in the auction. All qualified bidders who intend to participate in the auction are strongly encouraged to participate in the Mock Auction. Bidders will be eligible to participate in the Mock Auction if they have been legally, technically and financially qualified to participate in the lease sale, and have submitted their bid deposit as described below.

Bid Deposit: A bid deposit is an advance cash deposit submitted to BOEM in order to participate in the auction. No later than the deadline provided in the FSN, each bidder must have submitted a bid deposit of \$450,000. Any bidder that fails to submit the bid deposit by the deadline described in the FSN may be disqualified from participating in the auction. Bid deposits will be accepted online via *pay.gov*. Following publication of the FSN, each bidder must fill out the BFF included in the FSN. BOEM has made a copy of the proposed BFF available with this notice

on its website at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/Massachusetts.aspx>. This form requests that each bidder designate an email address, which the bidder should use to create an account in *pay.gov*. After establishing the *pay.gov* account, bidders may use the Bid Deposit Form on the *pay.gov* website to leave a deposit.

Following the auction, BOEM will apply bid deposits against any bonus bids or other obligations owed to BOEM. If the bid deposit exceeds a bidder's total financial obligation, BOEM will refund the balance of the bid deposit to the bidder. BOEM will fully refund bid deposits to unsuccessful bidders.

Minimum Bid: BOEM proposes for this lease sale a minimum bid of \$2 per acre for each LA. Therefore, the minimum acceptable bid will be \$496,030 for Lease OCS-A 0502, and \$281,108 for Lease OCS-A 0503.

Lease Terms and Conditions: The proposed OCS commercial wind leases contain lease terms, conditions, and stipulations. BOEM reserves the right to add additional terms and conditions to any approval of a SAP and/or COP. The proposed leases, including Addendum "C," are available on BOEM's website at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/Massachusetts.aspx>. Each proposed lease includes the following seven attachments:

- Addendum "A" (Description of Leased Area and Lease Activities);
- Addendum "B" (Lease Term and Financial Schedule);
- Addendum "C" (Lease Specific Terms, Conditions, and Stipulations);
- Addendum "D" (Project Easement);
- Addendum "E" (Rent Schedule);
- Appendix A to Addendum "C": (Incident Report: Protected Species Injury or Mortality); and
- Appendix B to Addendum "C": (Required Data Elements for Protected Species Observer Reports).

Addenda "A," "B," and "C" provide detailed descriptions of lease terms and conditions. Addenda "D" and "E" will be completed at the time of COP approval.

After considering comments on the PSN and proposed leases, BOEM will publish final lease terms and conditions in the FSN.

Required Plans for Potential Development of Executed Leases

Pursuant to 30 CFR 585.601, the leaseholder must submit a SAP within 12 months of lease issuance. If the leaseholder intends to continue its commercial lease with an operations term, the leaseholder must submit a

COP at least 6 months before the end of the site assessment term.

Qualifications—Who May Bid: As stated above, within the 60-day comment period for this PSN, entities that were qualified to bid in the January 29, 2015, Massachusetts lease sale (ATLW-4) must affirm their interest in bidding in this lease sale (ATLW-4a), notify BOEM of any adverse material changes to their financial and/or technical qualifications, including bankruptcies, and provide any updates to your legal qualifications card. Entities that have been qualified due to submission of unsolicited lease requests in the area since ATLW-4 do not need to resubmit qualifications materials. All other entities wishing to bid in this lease sale must submit a complete set of qualifications materials by the end of the 60-day comment period of this PSN. To be eligible to participate in the auction, each potential bidder must be found by BOEM to be legally, technically and financially qualified under BOEM's regulations at 30 CFR 585.106-107 by the time the FSN for this sale is published. Please note that technical and financial qualifications are lease-specific; it is not sufficient to have been technically and financially qualified to participate in a prior lease sale.

Guidelines on BOEM's qualifications requirements can be found at: <http://www.boem.gov/Renewable-Energy-Program/Regulatory-Information/QualificationGuidelines-pdf.aspx>. You must provide any qualifications documentation in both paper and electronic formats. BOEM considers an Adobe PDF file stored on a storage media device to be an acceptable format for submitting an electronic copy.

Because it may take several weeks for BOEM to assess a potential bidder's legal, technical, and financial qualifications, BOEM advises potential bidders who plan to participate in a sale to submit their qualifications materials promptly. It is not uncommon for BOEM to request additional materials establishing qualifications following an initial review of the qualifications package. BOEM cannot determine a potential bidder to be qualified without a complete qualification package. Potential bidders whom BOEM has not qualified before publication of the FSN will not be allowed to participate in the proposed sale.

Auction Procedures

Multiple-Factor Bidding

As authorized under 30 CFR 585.220(a)(4) and 585.221(a)(6), BOEM proposes that this sale employ a

multiple-factor auction format with a multiple-factor bidding system. Each bidder may bid on only one LA at a time, and can win at most one of the two LAs offered in this sale. BOEM proposes to balance consideration of two variables in determining the outcome of this auction: (1) A cash bid, and (2) a nonmonetary credit for bidders that have entered into a CBA as described below.

5% Nonmonetary Credit for Community Benefits Agreements

BOEM proposes to offer a 5% nonmonetary credit in this lease sale for bidders who have executed one or more CBAs meeting the criteria established in the FSN and proposed below. If a bidder is found to be eligible for a nonmonetary credit, the credit would be 5% of the asking price. The cash bid would make up that portion of the bid not covered by the nonmonetary credit. Summed together, these two variables comprise the "As-Bid" price. The effect of possessing a nonmonetary credit of 5% would be to receive a 5% discount on the asking price.

BOEM must receive a bidder's nonmonetary package no later than the due date listed in the FSN, containing a copy of the executed CBA and any additional explanation of the contents and purported benefits of the agreement that the bidder believes would be helpful for BOEM. The submitting bidder may designate confidential business information in its submittal pursuant to process described below.

A BOEM-designated panel will evaluate bidders' nonmonetary packages to determine whether each bidder is eligible for a nonmonetary credit applicable to the asking price in each round of the auction. It is possible that multiple or all bidders could qualify for nonmonetary credits. Bidders will be informed by email before the monetary auction whether they have been deemed eligible for a nonmonetary credit. BOEM will not disclose until after the lease sale which other bidders, if any, were determined to be eligible for a nonmonetary credit.

Community Benefits Agreement (CBA). In order for a nonmonetary package to qualify for a 5% credit in this auction, the BOEM-appointed panel must answer "yes" to the following questions regarding the CBA:

1. Is there a legally binding contract?
2. Is the contract between the bidder and one or more community-based organizations (CBO)?
3. Has the bidder committed to provide specified community benefits?

4. Has the CBO committed in specific ways to support the project in the governmental approval process?

A community-based organization (CBO) is defined as: A legally incorporated organization whose membership includes residents or property owners of a community within the potentially affected region, the local government of the community, or an entity created or managed by the local government(s) of the community or communities.

Monetary Auction Procedures

Using an online bidding system to host the auction, BOEM will start the bidding for lease OCS-A 0502 at \$496,030, and for lease OCS-A 0503 at \$281,108. BOEM will increase those prices incrementally until only one active bidder remains in the auction for each LA. BOEM proposes that no bidder in the auction be permitted to win both LAs.

The auction will be conducted in a series of rounds. At the start of each round, BOEM will state an asking price for each LA. If a bidder is willing to meet the asking price for one of the LAs, it will indicate its intent by submitting a bid equal to the asking price. A bid at the full asking price is referred to in this notice as a "live bid." To participate in the next round of the auction, a bidder must submit a live bid for one of the LAs in each previous round. As long as there are two or more live bids for at least one LA, the auction moves to the next round. BOEM will raise the asking price for each LA by an increment determined by BOEM. Asking price increments will be determined based on a number of factors, including (but not necessarily limited to) the expected time needed to conduct the auction, and the number of rounds that have already occurred. BOEM reserves the right to increase or decrease bidding increments as appropriate.

A bidder may switch its live bid from one LA to the other in the current round only if its bid from the previous round was contested—*e.g.*, a bidder cannot switch from OCS-A 0502 to OCS-A 0503 unless there was at least one other bid for OCS-A 0502 in the last round. If the bid was not contested in the previous round, the bidder cannot switch LAs, and its previous round bid will be carried forward to the next round. If another bidder places a live bid on OCS-A 0502 later in the auction, BOEM will stop automatically carrying forward the previously uncontested bid on that LA. The bidder that placed the previously carried forward bid is then free to bid on either LA in the next round at the new asking prices. A

bidder remains eligible to participate in the auction if it has submitted a live bid in the prior round, or has a previously uncontested live bid carried forward by BOEM to the current round. As discussed below, if a bidder decides to stop bidding further when its bid is contested, there are still circumstances in which the bidder could win (*e.g.*, if the winning bid is disqualified at the award stage of the auction). If this happens, the bidder may be bound by its bid and thus obligated to pay the full bid amount.

Between rounds, BOEM would disclose to all bidders who submitted bids in the first round of the auction: (1) The number of live bids for each LA in the previous round of the auction (*i.e.*, the level of demand); and (2) the asking price for each LA in the upcoming round of the auction.

A bidder is only eligible to continue bidding in the auction if it has submitted a live bid in the previous round. In any round after the first round, however, a bidder may submit an "exit bid," also known as an "intra-round bid." An exit bid is a bid that is higher than the previous round's asking price, submitted for the sale LA as the bidder's contested live bid in the previous round, but less than the current round's asking price. An exit bid is *not* a live bid, and it represents the final bid that a bidder may submit in the auction. During the auction, the exit bid can only be seen by BOEM, and not by other bidders.

A LA with only exit bids in a given round will not have its asking price raised in the next round. As soon as both LAs have one or zero live bids, the auction is over, regardless of the number of exit bids on each area.

After the bidding ends, BOEM would determine the provisionally winning bids for each LA. The provisionally winning bid for a LA would be the highest bid (live bid or exit bid) received for that LA, except that no bidder may win both LAs. Regardless of whether a provisionally winning bid is a live bid or an exit bid, BOEM would apply any nonmonetary credits in the same way. The award procedures described here could result in a tie, for example if two bidders submit identical high exit bids, or prior round live bids for the same LA. In such cases, BOEM would resolve the tie by randomized means. If the procedures described herein would result in the award of both LAs to the same bidder, BOEM would accept only the most recent bid submitted by that bidder and would award the other LA to the next highest bidder.

Provisional winners may be disqualified if they are subsequently found to have violated auction rules or otherwise engaged in conduct detrimental to the integrity of the competitive auction. If a bidder submits a bid that BOEM determines to be a provisionally winning bid, the bidder would be expected to sign the applicable lease documents, establish financial assurance, and submit the cash balance of its bid (*i.e.*, winning bid amount minus the bid deposit and any applicable nonmonetary credit) within 10 business days of receiving the lease copies, pursuant to 30 CFR 585.224. BOEM reserves the right not to issue the lease to the provisionally winning bidder if that bidder fails to timely sign and pay for the lease or otherwise comply with applicable regulations or the terms of the FSN. In that case, the bidder would forfeit its bid deposit. BOEM may consider failure of a bidder to timely pay the full amount due an indication that the bidder may no longer be financially qualified to participate in other lease sales under BOEM's regulations at 30 CFR 585.106 and 585.107.

Additional Information Regarding the Auction Format

Bidder Authentication

Prior to the auction, the Auction Manager will send several bidder authentication packages to each bidder shortly after BOEM has processed the BFFs. One package will contain tokens for each authorized individual. Tokens are digital authentication devices. The tokens will be mailed to the Primary Point of Contact indicated on the BFF. This individual is responsible for distributing the tokens to the individuals authorized to bid for that company. For bidders with authorized individuals in more than one country, tokens may be sent directly to authorized individuals rather than to the Primary Point of Contact. Bidders are to ensure that each token is returned within three business days following the auction. An addressed, stamped envelope will be provided to facilitate this process. In the event that a bidder fails to submit a BFF or a bid deposit, or does not participate in the auction, BOEM will de-activate that bidder's token and login information, and the bidder will be asked to return its tokens.

The second package will contain login credentials for authorized bidders. The login credentials will be mailed to the address provided in the BFF for each authorized individual. Bidders can confirm these addresses by calling (703) 787-1300. This package will contain

user login information and instructions for accessing the Auction System Technical Supplement and Alternative Bidding Form. The login information, along with the tokens, will be tested during the Mock Auction.

Monetary Auction Times

BOEM will provide specific information regarding when the bidders can enter the auction system and the auction start time in the FSN. Additional information will be made available in an Auction System Technical Supplement, which will be posted on BOEM's website prior to the auction.

BOEM and the auction contractors will use the auction platform messaging service to keep bidders informed on issues of interest during the auction. For example, BOEM may change the schedule at any time, including during the auction. If BOEM changes the schedule during the auction, it will use the messaging feature to notify bidders that a revision has been made and direct bidders to the relevant page. BOEM will also use the messaging system for other changes and items of particular note during the auction. The auction schedule and asking price increments are in BOEM's discretion, and are subject to change at any time before or during the auction.

During the auction, bidders may place bids at any time during the round. At the top of the bidding page, a countdown clock will show how much time remains in the round. Bidders have until the scheduled time to place bids. Bidders should place bids according to the procedures described in the Auction System Technical Supplement, and as practiced at the Mock Auction. No information about the round is available until the round has closed and results have been posted, so there should be no strategic advantage to placing bids early or late in the round.

Prohibition on Communications Among Bidders During Auction

During the auction, bidders are prohibited from communicating with each other regarding their participation in the auction. Additionally, during the auction, bidders are prohibited from communicating to the general public regarding any aspect of their participation or lack thereof in the auction, including, but not limited to, through social media, updated websites, or press releases. Federal antitrust law may impose further restrictions on communications between bidders above and beyond the restrictions described in this section.

Alternate Bidding Procedures

Alternate Bidding Procedures enable a bidder who is having difficulties accessing the internet to submit its bid via fax using an Alternate Bidding Form available on BOEM's website at: <http://www.boem.gov/Massachusetts/>.

In order to be authorized to use an Alternative Bidding Form, a bidder must call the help desk number listed in the Auction Manual *before* the end of the round. BOEM will authenticate the caller to ensure he/she is authorized to bid on behalf of the company. The bidder must explain the reasons for which he/she cannot place a bid using the online bidding platform. BOEM may, in its sole discretion, permit or refuse to accept a request for the placement of a bid using the Alternate Bidding Procedures. If bidders need to submit an Alternate Bidding Form, they are strongly encouraged to do so before the round ends.

Rejection or Non-Acceptance of Bids: BOEM reserves the right and authority to reject any and all bids that do not satisfy the requirements and rules of the proposed auction, the FSN, or applicable regulations and statutes.

Process for Issuing the Leases

Once all post-auction reviews have been completed to BOEM's satisfaction, BOEM will issue three unsigned copies of the lease to the provisionally winning bidder. Within 10 business days after receiving the lease copies, the provisionally winning bidder must:

1. Sign the lease on the bidder's behalf;
2. File financial assurance, as required under 30 CFR 585.515 through 585.537; and
3. Pay by electronic funds transfer (EFT) the balance (if any) of the bonus bid (winning bid less the bid deposit). BOEM requires bidders to use EFT procedures (not *pay.gov*, the website bidders used to submit bid deposits) for payment of the balance of the bonus bid, following the detailed instructions contained in the "Instructions for Making Electronic Payments" available on BOEM's website at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/Massachusetts.aspx>.

BOEM will not execute a lease until the three requirements above have been satisfied, BOEM has accepted the provisionally winning bidder's financial assurance pursuant to 30 CFR 585.515, and BOEM has processed the provisionally winning bidder's payment.

If BOEM determines the delay was caused by events beyond the provisional

winning bidder's control, BOEM may extend the ten business day deadline for executing the lease on the bidder's behalf, filing the required financial assurance, and/or paying the balance of the bonus bid.

If the provisionally winning bidder does not meet these requirements or otherwise fails to comply with applicable regulations or the terms of the FSN, BOEM reserves the right to not issue the lease to that bidder. In such a case, the provisionally winning bidder will forfeit its bid deposit.

Within 45 days of the date that the provisionally winning bidder receives copies of the lease, it must pay the first year's rent using the *pay.gov* Renewable Energy Initial Rental Payment form, available at: <https://pay.gov/paygov/formInstance.html?agencyFormId=27797604>. Subsequent annual rent payments must be made following the detailed instructions contained in the "Instructions for Making Electronic Payments," available on BOEM's website at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/Massachusetts.aspx>.

Anti-Competitive Behavior: In addition to the auction rules described in this notice, bidding behavior is governed by Federal antitrust laws designed to prevent anticompetitive behavior in the marketplace. Compliance with BOEM's auction procedures will not insulate a party from enforcement of antitrust laws.

Accordingly, following the auction, and before the acceptance of bids and the issuance of leases, BOEM will "allow the Attorney General, in consultation with the Federal Trade Commission, thirty days to review the results of the lease sale." 43 U.S.C. 1337(c). If a bidder is found to have engaged in anti-competitive behavior or otherwise violated BOEM's rules in connection with its participation in the competitive bidding process, BOEM may reject the high bid.

Anti-competitive practices may include, but are not limited to:

- An agreement, either express or tacit, among bidders to not bid in an auction, or to bid a particular price;
- An agreement among bidders not to bid for a particular LA;
- An agreement among bidders not to bid against each other; and
- Other agreements among bidders that may affect the final auction price.

BOEM may decline to award a lease if, pursuant to the OCS Lands Act (43 U.S.C. 1337(c)), it is determined by the Attorney General in consultation with the Federal Trade Commission that doing so would be inconsistent with antitrust laws.

For more information on whether specific communications or agreements could constitute a violation of Federal antitrust law, please see: <http://www.justice.gov/atr/public/business-resources.html>, or consult counsel.

Bidder's Financial Form Certification: Each bidder is required to sign the self-certification, in accordance with 18 U.S.C. 1001 (Fraud and False Statements) in the Bidder's Financial Form, which can be found on BOEM's website at: <http://www.boem.gov/Renewable-Energy-Program/State-Activities/Massachusetts.aspx>. The form must be filled out and returned to BOEM in accordance with the "Deadlines and Milestones for Bidders" section of this notice.

Non-Procurement Debarment and Suspension Regulations: Pursuant to regulations at 43 CFR part 42, subpart C, an OCS renewable energy Lessee must comply with the U.S. Department of the Interior's non-procurement debarment and suspension regulations at 2 CFR parts 180 and 1400 and agree to communicate the requirement to comply with these regulations to persons with whom the Lessee does business as it relates to this lease by including this term as a condition in their contracts and other transactions.

Final Sale Notice: BOEM will consider comments received or postmarked during the PSN comment period in preparing a FSN that will provide the final details concerning the offering and issuance of OCS commercial wind energy leases in the Massachusetts WEA. The FSN will be published in the **Federal Register** at least 30 days before the lease sale is conducted and will provide the date and time of the auction.

Force Majeure: The Program Manager of BOEM's Office of Renewable Energy Programs has the discretion to change any date, time, and/or location specified in the FSN in case of a force majeure event that the Program Manager deems may interfere with a fair and proper lease sale process. Such events may include, but are not limited to, natural disasters (e.g., earthquakes, hurricanes, floods), wars, riots, acts of terrorism, fire, strikes, civil disorder, or other events of a similar nature. In case of such events, bidders should call (703) 787-1300 or access the BOEM website at: <http://www.boem.gov/Renewable-Energy-Program/index.aspx>.

Appeals: The appeals procedures are provided in BOEM's regulations at 30 CFR 585.225 and 585.118(c). Pursuant to 30 CFR 585.225,

- If BOEM rejects your bid, BOEM will provide a written statement of the reasons and refund any money

deposited with your bid, without interest.

- You will then be able to ask the BOEM Director for reconsideration, in writing, within 15 business days of bid rejection, under 30 CFR 585.118(c)(1). BOEM will send you a written response either affirming or reversing the rejection.

The procedures for appealing final decisions with respect to lease sales are described in 30 CFR 585.118(c).

Personal Identifying Information

BOEM does not consider anonymous comments: Please include your name and address as part of your submittal. You should be aware that your entire comment, including your name, address, and your personal identifying information (PII), may be made publicly available at any time. All submissions from identified individuals, businesses and organizations will be available for public viewing on *regulations.gov*.

In order for BOEM to withhold from disclosure your PII, you must identify any information contained in the submittal of your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequence(s) of the disclosure of information, such as embarrassment, injury or other harm.

Protection of Privileged or Confidential Information

BOEM will protect privileged or confidential information that is submitted as required by the Freedom of Information Act (FOIA). Exemption 4 of FOIA applies to trade secrets and commercial or financial information that is privileged or confidential. If you wish to protect the confidentiality of such information, clearly mark it and request that BOEM treat it as confidential. BOEM will not disclose such information, except as required by FOIA. Please label privileged or confidential information "Contains Confidential Information" and consider submitting such information as a separate attachment.

However, BOEM will not treat as confidential any aggregate summaries of such information or comments not containing such information. Additionally, BOEM may not treat as confidential the legal title of the commenting entity (e.g., the name of a company). Information that is not labeled as privileged or confidential will be regarded by BOEM as suitable for public release.

Section 304 of the National Historic Preservation Act (16 U.S.C. 470w-3(a))

BOEM is required, after consultation with the Secretary of the Department of the Interior, to withhold the location, character, or ownership of historic resources if it determines that disclosure may, among other things, cause a significant invasion of privacy, risk harm to the historic resources or impede the use of a traditional religious site by practitioners. Tribal entities and other interested parties should designate information that they wish to be held as confidential and provide the reasons why BOEM should do so.

Dated: April 5, 2018.

Walter D. Cruickshank,

Acting Director, Bureau of Ocean Energy Management.

[FR Doc. 2018-07379 Filed 4-10-18; 8:45 am]

BILLING CODE 4310-MR-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-945]

Certain Network Devices, Related Software and Components Thereof (II); Commission Determination To Modify the Remedial Orders To Suspend Enforcement as to U.S. Patent No. 7,224,668

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to modify the limited exclusion order (“LEO”) and cease and desist order (“CDO”) (collectively, “the remedial orders”) issued in the above-captioned investigation to suspend enforcement of those orders as to the claims of U.S. Patent Nos. 7,224,668 (“the ‘668 patent”) that the Commission found to be infringed. The Commission has further determined to deny Arista’s motion for stay as moot in view of the suspension of the remedial orders as to the ‘668 patent.

FOR FURTHER INFORMATION CONTACT: Megan M. Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-2301. 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 <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://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 January 27, 2015, based on a Complaint filed by Cisco Systems, Inc. of San Jose, California (“Cisco”). 80 FR 4313-14 (Jan. 27, 2015). The Complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the sale for importation, importation, and sale within the United States after importation of certain network devices, related software and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 7,023,853; the ‘577 patent; 7,460,492; 7,061,875; the ‘668 patent; and 8,051,211. The Complaint further alleges the existence of a domestic industry. The Commission’s Notice of Investigation named Arista Networks Inc. (“Arista”) as respondent. The Office of Unfair Import Investigations (“OUII”) was also named as a party to the investigation. The Commission previously terminated the investigation in part as to certain claims of the asserted patents. Order No. 38 (Oct. 27, 2015), unreviewed Notice (Nov. 18, 2015); Order No. 47 (Nov. 9, 2015), unreviewed Notice (Dec. 1, 2015).

On June 11, 2016, the Patent Trial and Appeal Board (“PTAB”) of the U.S. Patent and Trademark Office instituted separate *inter partes* review (“IPR”) proceedings concerning the ‘577 and ‘668 patents. *Arista Networks, Inc. v. Cisco Systems, Inc.*, Case IPR2016-00303 (regarding the ‘577 patent); *Arista Networks, Inc. v. Cisco Systems, Inc.*, Case IPR2016-00309 (regarding the ‘668 patent).

On May 4, 2017, the Commission found a violation of section 337 as to certain claims of the ‘577 and ‘668 patents. Notice (May 4, 2017); 82 FR 21827-29 (May 10, 2017). Specifically, the Commission issued an LEO prohibiting the unlicensed entry of network devices, related software and components thereof that infringe any of claims 1, 7, 9, 10, and 15 of the ‘577 patent; and claims 1, 2, 4, 5, 7, 8, 10, 13, 18, 56, and 64 of the ‘668 patent, and a CDO that prohibits Arista from importing, selling, marketing,

advertising, distributing, transferring (except for exportation), soliciting United States agents or distributors, and aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of certain network devices, related software and components thereof that infringe any of claims 1, 7, 9, 10, and 15 of the ‘577 patent; and claims 1, 2, 4, 5, 7, 8, 10, 13, 18, 56, and 64 of the ‘668 patent.

On May 25, 2017, the PTAB issued its final written decision finding claims 1, 7-10, 12-16, 18-22, 25, and 28-31 of the ‘577 patent unpatentable based on prior art not presented in the Commission investigation. On June 1, 2017, the PTAB issued its final written decision finding claims 1-10, 12, 13, 15-28, 30, 33-36, 55-64, 66, 67, and 69-72 of the ‘668 patent unpatentable based on certain combinations of prior art not presented in the Commission investigation.

On February 14, 2018, the U.S. Court of Appeals for the Federal Circuit summarily affirmed the PTAB’s decision finding the claims of the ‘668 patent unpatentable. *Cisco Systems, Inc. v. Arista Networks, Inc.*, Appeal No. 17-2384 (Feb. 14, 2018). The Court issued the mandate on March 23, 2018. *Id.*, Dkt. No. 54. The PTAB’s decision concerning the ‘577 is currently still pending before the Court.

On March 15, 2018, Arista filed a motion before the Commission to stay the Commission’s remedial orders as to the ‘668 patent. On March 26, 2018, Cisco filed its response stating that it takes no position on and, thus, does not oppose Arista’s motion. OUII did not file a response to Arista’s motion.

The Commission has determined, pursuant to 19 U.S.C. 1337(k)(1) and 19 CFR 210.76(a)(1), to modify the remedial orders to suspend enforcement of those orders with respect to the ‘668 patent pending rescission of the orders upon the cancellation of the asserted claims or pending reversal or vacatur of the Federal Circuit’s decision in *Cisco Systems, Inc. v. Arista Networks, Inc.*, Appeal No. 17-2384.

The Commission has further determined to deny Arista’s motion as moot in view of the suspension of the remedial orders as to the ‘668 patent.

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: April 5, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018-07412 Filed 4-10-18; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1102]

Certain Light Engines and Components Thereof; Commission Determination Not To Review an Initial Determination Granting a Joint Motion To Terminate the Investigation in Its Entirety Based Upon a Consent Order Stipulation; Issuance of Consent Order

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. 2) granting a joint motion to terminate the investigation in its entirety based upon a consent order stipulation; entry of consent order and termination of investigation.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone 202-205-3042. 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 March 16, 2018, based on a complaint filed by Lumencor, Inc. of Beaverton, Oregon ("Lumencor"). 83 FR 11789 (Mar. 16, 2018). The complaint alleges 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,

and the sale within the United States after importation of certain light engines and components thereof by reason of infringement of one or more of claims 1-6, 10, 11, and 16-19 of U.S. Patent No. 9,574,722 ("the '722 patent"); claims 1-3, 5, 7, 9, 11-13, 15, 17, and 20 of U.S. Patent No. 9,395,055 ("the '055 patent"); and claims 1, 4, 6, 7, 9, 16, and 18 of U.S. Patent No. 8,493,564 ("the '564 patent"). The notice of investigation named the following respondents: Excelitas Technologies Corp. of Waltham, Massachusetts and Lumen Dynamics Group, Inc. of Mississauga, Ontario, Canada (collectively, "Respondents"). The Office of Unfair Import Investigations is not a party to the investigation.

On March 15, 2018, Lumencor and Respondents filed a joint motion to terminate the investigation in its entirety based upon consent order stipulation. No responses to the motion were filed. We note that the Commission issued its notice to institute this investigation on March 12, 2018, but the notice did not appear in the **Federal Register** until March 16, 2018.

On March 20, 2018, the ALJ issued the subject ID, granting the motion. On March 26, 2018, the ALJ issued errata correcting a typographical error on page 2 of the ID (changing "Lumencor also agrees to" to "Respondents also agree to"). The ALJ found that the consent order stipulation complies with the requirements of Commission Rule 210.21(c)(3) (19 CFR 210.21(c)(3)), and that terminating the investigation in its entirety would not be contrary to the public interest. None of the parties petitioned for review of the ID.

The Commission has determined not to review the ID and to issue consent order herewith.

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: April 6, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018-07452 Filed 4-10-18; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—ASTM International Standards

Notice is hereby given that, on February 21, 2018, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), ASTM International ("ASTM") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing additions or changes to its standards development activities. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, ASTM has provided an updated list of current, ongoing ASTM standards activities originating between December 2017 and February 2018 designated as work items. A complete listing of ASTM Work Items along with a brief description of each, is available at <http://www.astm.org>.

On September 15, 2004, ASTM filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on November 10, 2004 (69 FR 65226).

The last notification with the Department was filed on December 14, 2017. A notice was filed in the **Federal Register** on February 12, 2018 (83 FR 6050).

Patricia A. Brink,

Director of Civil Enforcement, Antitrust Division.

[FR Doc. 2018-07514 Filed 4-10-18; 8:45 am]

BILLING CODE 4410-11-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-392]

Importer of Controlled Substances Application: Lipomed

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before May 11, 2018. Such persons may also file a written request for a

hearing on the application on or before May 11, 2018.
ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152. All request for hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/LJ, 8701 Morrisette Drive, Springfield, Virginia 22152; and

(2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152.
SUPPLEMENTARY INFORMATION: The Attorney General has delegated his authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled

substances (other than final orders in connection with suspension, denial, or revocation of registration) has been redelegated to the Assistant Administrator of the DEA Diversion Control Division (“Assistant Administrator”) pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.34(a), this is notice that on January 22, 2016, Lipomed, 150 Cambridge Park Drive, Suite 705, Cambridge, MA 02140 applied to be registered as an importer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
Cathinone	1235	I.
Methcathinone	1237	I.
Mephedrone (4-Methyl-N-methylcathinone)	1248	I.
N-Ethylamphetamine	1475	I.
N,N-Dimethylamphetamine	1480	I.
Fenethylamine	1503	I.
Aminorex	1585	I.
4-Methylaminorex (cis isomer)	1590	I.
Gamma Hydroxybutyric Acid	2010	I.
Methaqualone	2565	I.
Mecloqualone	2572	I.
JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl) indole)	6250	I.
SR-18 (Also known as RCS-8) (1-Cyclohexylethyl-3-(2-methoxyphenylacetyl) indole)	7008	I.
JWH-019 (1-Hexyl-3-(1-naphthoyl)indole)	7019	I.
JWH-081 (1-Pentyl-3-(1-(4-methoxynaphthoyl) indole)	7081	I.
SR-19 (Also known as RCS-4) (1-Pentyl-3-[(4-methoxy)-benzoyl] indole)	7104	I.
JWH-018 (also known as AM678) (1-Pentyl-3-(1-naphthoyl)indole)	7118	I.
JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl) indole)	7122	I.
JWH-073 (1-Butyl-3-(1-naphthoyl)indole)	7173	I.
JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole)	7200	I.
AM2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl) indole)	7201	I.
JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl) indole)	7203	I.
Alpha-ethyltryptamine	7249	I.
Ibogaine	7260	I.
CP-47,497 (5-(1,1-Dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl-phenol)	7297	I.
CP-47,497 C8 Homologue (5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl-phenol)	7298	I.
Lysergic acid diethylamide	7315	I.
2,5-Dimethoxy-4-(n-propylthiophenethylamine (2C-T-7)	7348	I.
Marihuana	7360	I.
Tetrahydrocannabinols	7370	I.
Parahexyl	7374	I.
Mescaline	7381	I.
2-(4-Ethylthio-2,5-dimethoxyphenyl) ethanamine (2C-T-2)	7385	I.
3,4,5-Trimethoxyamphetamine	7390	I.
4-Bromo-2,5-dimethoxyamphetamine	7391	I.
4-Bromo-2,5-dimethoxyphenethylamine	7392	I.
4-Methyl-2,5-dimethoxyamphetamine	7395	I.
2,5-Dimethoxyamphetamine	7396	I.
JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl) indole)	7398	I.
2,5-Dimethoxy-4-ethylamphetamine	7399	I.
3,4-Methylenedioxyamphetamine	7400	I.
5-Methoxy-3,4-methylenedioxyamphetamine	7401	I.
N-Hydroxy-3,4-methylenedioxyamphetamine	7402	I.
3,4-Methylenedioxy-N-ethylamphetamine	7404	I.
3,4-Methylenedioxy-methamphetamine	7405	I.
4-Methoxyamphetamine	7411	I.
5-Methoxy-N,N-dimethyltryptamine	7431	I.
Alpha-methyltryptamine	7432	I.
Bufotenine	7433	I.
Psilocybin	7437	I.
Psilocyn	7438	I.
5-Methoxy-N,N-diisopropyltryptamine	7439	I.
N-Ethyl-1-phenylcyclohexylamine	7455	I.
1-[1-(2-Thienyl)cyclohexyl]piperidine	7470	I.
1-[1-(2-Thienyl)cyclohexyl]pyrrolidine	7473	I.

Controlled substance	Drug code	Schedule
N-Ethyl-3-piperidyl benzilate	7482	I.
N-Methyl-3-piperidyl benzilate	7484	I.
N-Benzylpiperazine	7493	I.
2-(2,5-Dimethoxy-4-methylphenyl) ethanamine (2C-D)	7508	I.
2-(2,5-Dimethoxy-4-ethylphenyl) ethanamine (2C-E)	7509	I.
2-(2,5-Dimethoxyphenyl) ethanamine (2C-H)	7517	I.
2-(4-iodo-2,5-dimethoxyphenyl) ethanamine (2C-I)	7518	I.
2-(4-Chloro-2,5-dimethoxyphenyl) ethanamine (2C-C)	7519	I.
2-(2,5-Dimethoxy-4-nitro-phenyl) ethanamine (2C-N)	7521	I.
2-(2,5-Dimethoxy-4-(n)-propylphenyl) ethanamine (2C-P)	7524	I.
2-(4-Isopropylthio)-2,5-dimethoxyphenyl) ethanamine (2C-T-4)	7532	I.
MDPV (3,4-Methylenedioxypropylvalerone)	7535	I.
Methylone (3,4-Methylenedioxy-N-methylcathinone)	7540	I.
AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl) indole)	7694	I.
Acetyldihydrocodeine	9051	I.
Benzylmorphine	9052	I.
Codeine-N-oxide	9053	I.
Cyprenorphine	9054	I.
Desomorphine	9055	I.
Etorphine (except HCl)	9056	I.
Codeine methylbromide	9070	I.
Dihydromorphine	9145	I.
Difenoxin	9168	I.
Heroin	9200	I.
Hydromorphenol	9301	I.
Methyl-desorphine	9302	I.
Methyldihydromorphine	9304	I.
Morphine methylbromide	9305	I.
Morphine methylsulfonate	9306	I.
Morphine-N-oxide	9307	I.
Myrophine	9308	I.
Nicocodeine	9309	I.
Nicomorphine	9312	I.
Normorphine	9313	I.
Pholcodine	9314	I.
Thebacon	9315	I.
Acetorphine	9319	I.
Acetylmethadol	9601	I.
Allylprodine	9602	I.
Alphacetylmethadol except levo-alphacetylmethadol	9603	I.
Alphamethadol	9605	I.
Dioxaphetyl butyrate	9621	I.
Dipipanone	9622	I.
Ethylmethylthiambutene	9623	I.
Etonitazene	9624	I.
Etoxidine	9625	I.
Furethidine	9626	I.
Hydroxypethidine	9627	I.
Ketobemidone	9628	I.
Levomoramide	9629	I.
Levophenacymorphan	9631	I.
Morpheridine	9632	I.
Noracymethadol	9633	I.
Norlevorphanol	9634	I.
Normethadone	9635	I.
Norpipanone	9636	I.
Phenadoxone	9637	I.
Phenampromide	9638	I.
Phenoperidine	9641	I.
Piritramide	9642	I.
Proheptazine	9643	I.
Properidine	9644	I.
Racemoramide	9645	I.
Trimeperidine	9646	I.
Phenomorphin	9647	I.
Propiram	9649	I.
Tilidine	9750	I.
Para-Fluorofentanyl	9812	I.
3-Methylfentanyl	9813	I.
Acetyl-alpha-methylfentanyl	9815	I.
Beta-hydroxy-3-methylfentanyl	9831	I.
Amphetamine	1100	II.
Methamphetamine	1105	II.
Lisdexamfetamine	1205	II.

Controlled substance	Drug code	Schedule
Phenmetrazine	1631	II.
Methylphenidate	1724	II.
Amobarbital	2125	II.
Pentobarbital	2270	II.
Secobarbital	2315	II.
Glutethimide	2550	II.
Nabilone	7379	II.
1-Phenylcyclohexylamine	7460	II.
Phencyclidine	7471	II.
4-Anilino-N-phenethyl-4-piperidine (ANPP)	8333	II.
Phenylacetone	8501	II.
1-Piperidinocyclohexanecarbonitrile	8603	II.
Alphaprodine	9010	II.
Anileridine	9020	II.
Cocaine	9041	II.
Codeine	9050	II.
Etorphine HCl	9059	II.
Dihydrocodeine	9120	II.
Oxycodone	9143	II.
Hydromorphone	9150	II.
Diphenoxylate	9170	II.
Ecgonine	9180	II.
Ethylmorphine	9190	II.
Hydrocodone	9193	II.
Levomethorphan	9210	II.
Levorphanol	9220	II.
Isomethadone	9226	II.
Meperidine	9230	II.
Meperidine intermediate-B	9233	II.
Metazocine	9240	II.
Methadone	9250	II.
Methadone intermediate	9254	II.
Metopon	9260	II.
Dextropropoxyphene, bulk (non-dosage forms)	9273	II.
Morphine	9300	II.
Thebaine	9333	II.
Dihydroetorphine	9334	II.
Levo-alphaacetylmethadol	9648	II.
Oxymorphone	9652	II.
Noroxymorphone	9668	II.
Phenazocine	9715	II.
Piminodine	9730	II.
Racemethorphan	9732	II.
Racemorphan	9733	II.
Alfentanil	9737	II.
Remifentanil	9739	II.
Sufentanil	9740	II.
Carfentanil	9743	II.
Tapentadol	9780	II.
Bezitramide	9800	II.
Fentanyl	9801	II.

The company plans to import analytical reference standards for distribution to its customers for research and analytical purposes. Placement of these drug codes onto the company's registration does not translate into automatic approval of subsequent permit applications to import controlled substances. Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of FDA approved or non-approved finished dosage forms for commercial sale.

Dated: April 4, 2018.
Susan A. Gibson,
Deputy Assistant Administrator.
 [FR Doc. 2018-07442 Filed 4-10-18; 8:45 am]
BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE
Drug Enforcement Administration
[Docket No. 17-46]
Witold Marek Zajewski, M.D.; Decision and Order

On July 27, 2017, the Acting Assistant Administrator, Diversion Control Division, Drug Enforcement

Administration (DEA), issued an Order to Show Cause to Witold Marek Zajewski, M.D. (Respondent), of Mount Prospect, Illinois. The Show Cause Order proposed the revocation of Respondent's DEA Certificate of Registration No. BZ5641419 on the ground that he has "no state authority to handle controlled substances." Order to Show Cause, at 1 (citing 21 U.S.C. 824(a)(3)). For the same reason, the Order also proposed the denial of any of Respondent's "applications for renewal or modification of such registration and any applications for any other DEA registrations. *Id.*"
 With respect to the Agency's jurisdiction, the Show Cause Order

alleged that Respondent is the holder of Certificate of Registration No. BZ5641419, pursuant to which he is authorized to dispense controlled substances as a practitioner in schedules II through V, at the registered address of 609 N. Main Street, Suite 102, Mount Prospect, Illinois. *Id.* The Order also alleged that this registration does not expire until May 31, 2018. *Id.*

Regarding the substantive grounds for the proceeding, the Show Cause Order alleged that on June 29, 2017, the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation (IDFPR), “issued an Order suspending [his] Illinois Physician and Surgeon License No. 036.096849 and suspending [his] Illinois Controlled Substance License No. 336.063325,” and he is therefore “without authority to practice medicine or handle controlled substances in the State of Illinois, the [S]tate in which [he is] registered with the DEA.” *Id.* at 1–2. Based on his “lack of authority to [dispense] controlled substances in . . . Illinois,” the Order asserted that “DEA must revoke” his registration. *Id.* at 2 (citing 21 U.S.C. 824(a)(3)); 21 CFR 1301.37(b)).

The Show Cause Order notified Respondent of (1) his right to request a hearing on the allegations or to submit a written statement in lieu of a hearing, (2) the procedure for electing either option, and (3) the consequence for failing to elect either option. *Id.* (citing 21 CFR 1301.43). The Show Cause Order also notified Respondent of his right to submit a corrective action plan. *Id.* at 2–3 (citing 21 U.S.C. 824(c)(2)(C)).

On August 21, 2017, Respondent, through counsel, filed a letter requesting a hearing on the allegations. Letter from Respondent’s Counsel to Hearing Clerk (dated Aug. 18, 2017) (hereinafter, Hearing Request). In this letter, Respondent “objects to the statement that his licenses have been suspended” because the IDFPR “entered only a temporary order of suspension of his license” until “an informal hearing” scheduled in December 2017.” *Id.* at 1. Respondent also requested to “continue this matter to in or after January 2018.” *Id.* at 1 (emphasis omitted).

The matter was placed on the docket of the Office of Administrative Law Judges and assigned to Administrative Law Judge Mark M. Dowd (hereinafter, ALJ). On August 25, 2017, the ALJ ordered the Government to “file evidence to support the allegation that the Respondent lacks state authority to handle controlled substances,” “respond to the Respondent’s request for continuance,” and file “any motion for summary disposition” no later than

September 6, 2017. Order Directing the Filing of Government Evidence of Lack of State Authority and Briefing Schedule, at 1. The ALJ also directed Respondent to file his response to any summary disposition motion no later than September 15, 2017. *Id.* at 2.

On September 1, 2017, the Government filed its Motion for Summary Disposition. In its Request, the Government argued that it is undisputed that Respondent lacks authority to handle controlled substances in Illinois because the IDFPR suspended Respondent’s medical license and his controlled substance license. Government’s Motion for Summary Disposition (hereinafter Government’s Motion or Govt. Mot.) at 2. The Government also noted that, in his Hearing Request, Respondent did not dispute that the IDFPR had suspended these licenses. *Id.* at 3 n.1. The Government further argued that, “[a]bsent authority by the State of Illinois to dispense controlled substances, Respondent is not authorized to possess a DEA registration in that state.” *Id.* at 3. Lastly, the Government argued that under Agency precedent, revocation is warranted even where a State has temporarily suspended a practitioner’s state authority and has yet to provide the practitioner with a hearing where he may prevail. Govt. Mot., at 3–4 (citations omitted). As support for its summary disposition request, the Government attached, *inter alia*, a copy of the IDFPR’s June 29, 2017 Order directing that (1) Respondent’s medical and controlled substance licenses “be **SUSPENDED**, pending proceedings before an Administrative Law Judge at” IDFPR and (2) Respondent to “immediately surrender all indicia of licensure(s) to” IDFPR. Government Exhibit (GX) 2 to Govt. Mot., at 1.

In his responsive pleading, Respondent did not dispute that the IDFPR “temporarily suspended” his medical and controlled substance licenses. Respondent’s Sept. 15, 2017 Motion for Extension of Time to Respond to Government’s Motion for Summary Disposition (hereinafter, Resp. Reply), at 1. Instead, he argued that the suspensions were “pending proceedings” before a state administrative law judge and that he “believe[s] this matter may be resolved” at an “informal hearing” in December 2017. *Id.* Respondent also argued that the ALJ should grant him an extension of time to respond to the Government’s Motion in “the interest of administrative/judicial economy” until then. *Id.* at 1–2 (quoting *Robert Clark*

Maiocco, M.D., 82 FR 19383, 19384 (2017)).

The ALJ denied “Respondent’s request for an extension of time—in essence to stay these proceedings,” noting that “revocation of a practitioner’s registration is warranted whenever his (or its) state authority to dispense controlled substances has been suspended or revoked.” Order Denying the Respondent’s Request for an Extension of Time, Granting the Government’s Motion for Summary Disposition, and Recommended Rulings, Findings of Fact, Conclusions of Law, and Decision of the Administrative Law Judge (R.D.), at 2 (internal quotations and citations omitted), 3. While he was “not unmindful of the Respondent’s argument that granting an extension of time has been used in the past” in *Maiocco*, the ALJ nevertheless “disagree[d]” that the same “interest of administrative/judicial economy” that was present in *Maiocco* was present in this case. *Id.* at 2–3, 3 n.3. Specifically, the ALJ in *Maiocco* granted that respondent’s three-week extension of time request because the Colorado Board of Medicine was scheduled to consider Respondent’s proposed “Stipulation and Final Agency Order” “two weeks after the Respondent submitted his Motion for Extension of Time to the ALJ.” *Id.* at 3 n.3 (citing *Maiocco*, 82 FR at 19384). Here, the ALJ reasoned, Respondent lacked the same “interest of administrative/judicial economy” because “Respondent has submitted no [] proposed stipulation, Respondent only ‘anticipates’ an informal hearing to take place.” *Id.* (citing Resp. Reply at 1). Finally, the ALJ concluded that the DEA has previously held “that a stay in administrative enforcement proceedings is ‘unlikely to ever be justified’ due to ancillary proceedings involving the Respondent.” *Id.* at 3 (quoting *Grider Drug #1 & Grider Drug #2*, 77 FR 44070, 44104 n.97 (2012)).¹

¹ I agree with this statement of the Agency’s precedents. However, the ALJ also cited *Odette L. Campbell*, 80 FR 41062 (2015), as contrary authority. See *id.* The ALJ characterized Campbell as “holding revocation proceedings in abeyance at the post-hearing adjudication level for a lengthy period pending the resolution of both criminal fraud charges and concurrent state administrative proceedings against the respondent,” *id.* Notably, Campbell involved an application for registration, not a revocation of an existing registration, at the time the proceeding was held in abeyance. This is significant, as an applicant, like Campbell, does not have the current authority to handle controlled substances during any stay of the proceedings, while a registrant does.

Moreover, one week before the evidentiary hearing, the respondent was indicted on 30 counts

The ALJ then found that there was no dispute over the fact that “Respondent currently lacks state authority to handle controlled substances in Illinois due to [the IDFPR’s] Order dated July 29, 2017, which suspended his state licenses to practice medicine and distribute controlled substances.” *Id.* at 5. Reasoning that “[b]ecause the Respondent lacks state authority at the present time . . . he is not entitled to maintain his DEA registration,” the ALJ granted the Government’s motion and recommended that his registration be revoked and that any pending renewal applications be denied. *Id.* at 5–6.

Neither party filed exceptions to the ALJ’s Recommended Decision. Thereafter, the record was forwarded to my Office for Final Agency Action. Having reviewed the record, I adopt the ALJ’s finding that by virtue of the IDFPR’s Order, Respondent is currently without authority to handle controlled substances in Illinois, the State in which he holds his registration with the Agency, and is thus not entitled to maintain his registration. I further adopt the ALJ’s recommendation that I revoke his registration and deny any pending renewal application. I make the following factual findings.

Findings of Fact

Respondent is the holder of DEA Certificate of Registration No. BZ5641419, pursuant to which he is authorized to dispense controlled substances in schedules II through V as a practitioner. GX 1. Although not alleged in the Show Cause Order, I also find that Respondent is the holder of DATA-Waiver Identification Number XZ5641419, *see id.*, which authorizes Respondent to dispense or prescribe schedule III–V narcotic controlled substances which “have been approved by the Food and Drug Administration

of Health Care Fraud, as well as five counts of altering records during a federal investigation. 80 FR at 41063. Had the respondent been convicted of Health Care Fraud, she would have been subject to mandatory exclusion from federal healthcare programs under 42 U.S.C. 1320a–7(a) and her application would have been subject to denial on that basis as well. *Id.* at 41064 (citing 21 U.S.C. 824(a)(5)). Furthermore, even after the respondent successfully completed pre-trial diversion and the charges were dismissed, the state medical board brought a proceeding against her license, and had the board suspended or revoked her medical license, denial of her application would have been required under the CSA. *Id.* (citing 21 U.S.C. 802(21) & 823(f)). Given the pending proceedings, *Campbell* was the rare case where withholding the issuance of a final decision was warranted. For these reasons, and those set forth in other final orders, I hold that *Campbell* does not support the issuance of stay of proceedings involving the suspension or revocation of DEA registrations. *See, e.g., Judson H. Somerville*, 82 FR 21408, 21409 n.3 (2017).

. . . specifically for use in maintenance or detoxification treatment” for up to 100 patients. 21 CFR 1301.28(a) & (b)(1)(iii). Respondent’s registered address is 609 N. Main Street, Suite 102, Mount Prospect, Illinois. GX 1. Respondent’s registration and DATA-Waiver authority do not expire until May 31, 2018. *Id.*

On June 29, 2017, the IDFPR issued an Order suspending Respondent’s Illinois Physician and Surgeon License No. 036.096849 and his Illinois Controlled Substance License No. 336.063325 “pending proceedings before an Administrative Law Judge at the” IDFPR. GX 2, at 2. The Order also directed Respondent to “immediately surrender all indicia of licensure(s) to the” IDFPR. *Id.*

In January 2018, the IDFPR announced another enforcement action regarding Respondent’s state licenses, stating that his “physician and surgeon license [is] restored to indefinite probation for a minimum of three years and [his] controlled substance license, 336063325, [is] indefinitely suspended, 12 months minimum, effective retroactive to June 29, 2017 for inappropriately prescribing controlled substances to patients of his practice.”² I take official notice of the IDFPR’s January 2018 enforcement action³ and find that Respondent currently does not possess a controlled substance license in the State of Illinois, and thus does not possess authority to dispense controlled substances in the State in which he is registered with the DEA. *See* 77 Ill. Adm. Code § 3100.370(a) (“A prescription for a controlled substance may be issued only by an individual practitioner who: (1) Holds an active professional license in Illinois as an individual practitioner; and (2) Holds an active controlled substances license under the Act or is exempted from licensure pursuant to Section 3100.80”).

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued

² *See* www.idfpr.com/Forms/DISCIPLN/2018_01enf.pdf.

³ Under the Administrative Procedure Act (APA), an agency “may take official notice of facts at any stage in a proceeding—even in the final decision.” U.S. Dept. of Justice, *Attorney General’s Manual on the Administrative Procedure Act* 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). In accordance with the APA and DEA’s regulations, Respondent is “entitled on timely request to an opportunity to show to the contrary.” 5 U.S.C. 556(e); *see also* 21 CFR 1316.59(e). To allow Respondent the opportunity to refute the facts of which I take official notice, Respondent may file a motion for reconsideration within 15 calendar days of service of this order which shall commence on the date this order is mailed.

under section 823 of the CSA, “upon a finding that the registrant . . . has had his State license . . . suspended [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.” Also, DEA has long held that the possession of authority to dispense controlled substances under the laws of the State in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner’s registration. *See, e.g., James L. Hooper*, 76 FR 71371 (2011), *pet. for rev. denied*, 481 Fed. Appx. 826 (4th Cir. 2012); *see also Frederick Marsh Blanton*, 43 FR 27616 (1978) (“State authorization to dispense or otherwise handle controlled substances is a prerequisite to the issuance and maintenance of a Federal controlled substances registration.”).

This rule derives from the text of two provisions of the CSA. First, Congress defined “the term ‘practitioner’ [to] mean[] a . . . physician . . . or other person licensed, registered or otherwise permitted, by . . . the jurisdiction in which he practices . . . to distribute, dispense, [or] administer . . . a controlled substance in the course of professional practice.” 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner’s registration, Congress directed that “[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.” 21 U.S.C. 823(f).

Thus, “the controlling question” in a proceeding brought under 21 U.S.C. 824(a)(3) is whether the holder of a DEA registration “is currently authorized to handle controlled substances in the [S]tate” in which the practitioner is registered. *Hooper*, 76 FR at 71371 (quoting *Anne Lazar Thorn*, 62 FR 12847, 12848 (1997)). Here, there is no dispute over the material fact that Respondent is no longer currently authorized to dispense controlled substances in Illinois, the State in which he is registered. *See* 77 Ill. Adm. Code § 3100.370(a). Accordingly, he is not entitled to maintain his registration.

I will therefore adopt the ALJ’s recommendation that I revoke Respondent’s registration and deny any pending applications to renew his registration. R.D. at 6. I will also deny any pending application to modify his registration, or any pending application for any other registration in Illinois, as requested in the Show Cause Order. Order to Show Cause, at 1. Finally, because Respondent’s DATA-Waiver

authority is contingent on Respondent being a practitioner with a valid DEA registration, *see* 21 U.S.C. 823(g)(2)(A); 21 CFR 1301.28(a), I will revoke his DATA-Waiver authority as well.

Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f) and 824(a), as well as 28 CFR 0.100(b), I order that DEA Certificate of Registration No. BZ5641419 and DATA-Waiver Identification Number XZ5641419, issued to Witold Marek Zajewski, M.D., be, and they hereby are, revoked. I further order that any pending application of Witold Marek Zajewski to renew or modify the above registration, or any pending application of Witold Marek Zajewski for any other

registration in the State of Illinois, be, and it hereby is, denied. This Order is effective immediately.⁴

Dated: April 4, 2018.
Robert W. Patterson,
Acting Administrator.
 [FR Doc. 2018-07454 Filed 4-10-18; 8:45 am]
BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-392]

Importer of Controlled Substances Registration

ACTION: Notice of registration.

SUMMARY: Registrants listed below have applied for and been granted registration by the Drug Enforcement Administration (DEA) as importers of various classes of schedule I or II controlled substances.

SUPPLEMENTARY INFORMATION:

The companies listed below applied to be registered as importers of various basic classes of controlled substances. Information on previously published notices is listed in the table below. No comments or objections were submitted and no requests for hearing were submitted for these notices.

Company	FR docket	Published
Sharp (Bethlehem), LLC	83 FR 539	January 4, 2018.
Catalent Pharma Solutions, LLC	83 FR 2215	January 16, 2018.
Janssen Pharmaceuticals, Inc	83 FR 2214	January 16, 2018.
Mylan Pharmaceuticals, Inc	83 FR 5809	February 9, 2018.
Meridian Medical Technologies, Inc	83 FR 5810	February 9, 2018.
Noramco, Inc	83 FR 5810	February 9, 2018.
Johnson Matthey, Inc	83 FR 5811	February 9, 2018.
Mylan Technologies, Inc	83 FR 5811	February 9, 2018.
Mylan Pharmaceuticals, Inc	83 FR 8107	February 23, 2018.

The Drug Enforcement Administration (DEA) has considered the factors in 21 U.S.C. 823, 952(a) and 958(a) and determined that the registration of the listed registrants to import the applicable basic classes of schedule I or II controlled substances is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971. The DEA investigated each company's maintenance of effective controls against diversion by inspecting and testing each company's physical security systems, verifying each company's compliance with state and local laws, and reviewing each company's background and history.

Therefore, pursuant to 21 U.S.C. 952(a) and 958(a), and in accordance

with 21 CFR 1301.34, the DEA has granted a registration as an importer for schedule I or II controlled substances to the above listed companies.

Dated: April 4, 2018.
Susan A. Gibson,
Deputy Assistant Administrator.
 [FR Doc. 2018-07444 Filed 4-10-18; 8:45 am]
BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-392]

Bulk Manufacturer of Controlled Substances Registration

ACTION: Notice of registration.

SUMMARY: Registrants listed below have applied for and been granted registration by the Drug Enforcement Administration (DEA) as bulk manufacturers of various classes of schedule I and II controlled substances.

SUPPLEMENTARY INFORMATION:

The companies listed below applied to be registered as bulk manufacturers of various basic classes of controlled substances. Information on previously published notices is listed in the table below. No comments or objections were submitted for these notices.

Company	FR docket	Published
Nanosyn, Inc	82 FR 56993	December 1, 2017.
Janssen Pharmaceutical, Inc	82 FR 58027	December 8, 2017.
Cambrex High Point, Inc	82 FR 61795	December 29, 2017.
AMPAC Fine Chemicals LLC	82 FR 61795	December 29, 2017.
Organix, Inc	83 FR 150	January 2, 2018.
Johnson Matthey Inc	83 FR 2215	January 16, 2018.
Chemtos, LLC	83 FR 2671	January 18, 2018.
Alcami Wisconsin Corporation	83 FR 2675	January 18, 2018.

⁴ For the same reasons which led the IDFPFR to revoke Respondent's controlled substance license, I

conclude that the public interest necessitates that

this Order be effective immediately. 21 CFR 1316.67.

The DEA has considered the factors in 21 U.S.C. 823(a) and determined that the registration of these registrants to manufacture the applicable basic classes of controlled substances is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971. The DEA investigated each of the company's maintenance of effective controls against diversion by inspecting and testing each company's physical security systems, verifying each company's compliance with state and local laws, and reviewing each company's background and history.

Therefore, pursuant to 21 U.S.C. 823(a), and in accordance with 21 CFR 1301.33, the DEA has granted a registration as a bulk manufacturer to the above listed companies.

Dated: April 3, 2018.

Susan A. Gibson,

Deputy Assistant Administrator.

[FR Doc. 2018-07455 Filed 4-10-18; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-392]

**Importer of Controlled Substances
Application: Almac Clinical Services
Incorp (ACSI)**

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before May 11, 2018. Such persons may also file a written request for a hearing on the application on or before May 11, 2018.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for hearing must be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152. All request for hearing should also be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/LJ, 8701 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DRW, 8701 Morrisette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: The Attorney General has delegated his authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled substances (other than final orders in connection with suspension, denial, or revocation of registration) has been redelegated to the Assistant Administrator of the DEA Diversion Control Division (“Assistant Administrator”) pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.34(a), this is notice that on March 7, 2018, Almac Clinical Services Incorp (ACSI) 25 Fretz Road, Souderton, PA 18964 applied to be registered as an importer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
Oxycodone	9143	II
Hydromorphone	9150	II
Morphine	9300	II
Tapentadol	9780	II
Fentanyl	9801	II

The company plans to import the listed controlled substances in dosage form to conduct clinical trials.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under to 21 U.S.C. 952 (a)(2).

Authorization will not extend to the import of FDA approved or non-approved finished dosage forms for commercial sale.

Dated: April 3, 2018

Susan A. Gibson,

Deputy Assistant Administrator.

[FR Doc. 2018-07441 Filed 4-10-18; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE

[OMB Number 1121-0111]

**Agency Information Collection
Activities: Proposed eCollection
eComments Requested; Revision of a
Currently Approved Collection;
Comments Requested: National Crime
Victimization Survey (NCVS)**

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 30-day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics, will be submitting a request to the Office of Management and Budget (OMB) for review and approval of a revision to the National Crime Victimization Survey information collection in accordance with the Paperwork Reduction Act of 1995. The proposed information collection, which is currently under OMB review, was previously published in the **Federal Register** on Monday, March 19, 2018, allowing a 30-day comment period. The requested revision impacts the minimum age at which respondents will be administered questions on their sexual orientation and gender identity, raising the minimum age from 16 to 18. This revision, which will be implemented within 6 months of OMB approval, will not impact the burden hours associated with the previous 30-day request.

DATES: Comments are encouraged and will be accepted for 30 days until May 11, 2018.

FOR FURTHER INFORMATION CONTACT:

If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Jennifer Truman, Statistician, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531 (email: Jennifer.Truman@ojp.usdoj.gov; telephone: 202-514-5083).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate the impact of the change on the functioning of the Bureau of Justice Statistics;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information,

including the validity of the methodology and assumptions used;

- Evaluate whether and, if so, how the quality, utility, and clarity of the information to be collected will be impacted by the change; and
- The burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *The Title of the Form/Collection:* National Crime Victimization Survey.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The form number for the questionnaire impacted by the modification is NCVS-1. The applicable component within the Department of Justice is the Bureau of Justice Statistics, in the Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* The National Crime Victimization Survey (NCVS) collects, analyzes, publishes, and disseminates statistics on criminal victimization and the context of criminal victimization in the U.S. The NCVS is administered to persons 12 years or older living in sampled households located throughout the US.

Since July 2016, self-report data on sexual orientation and gender identity have been collected from all sampled persons age 16 or older. Within six months of OMB approval of this requested change, the single question on sexual orientation and two part question on gender identity (sex at birth and current gender) will no longer be administered to respondents ages 16 and 17. The minimum age for these questions will be raised to 18 due to concerns about the potential sensitivity of these questions for adolescents.

BJS plans to publish information from the NCVS in reports and reference it when responding to queries from the U.S. Congress, Executive Office of the President, the U.S. Supreme Court, state officials, international organizations, researchers, students, the media, and others interested in criminal justice statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to*

respond: The requested revision will not impact the estimated survey burden or the annual number of respondents. The estimated annual number of respondents is 130,707. It will take the average interviewed respondent an estimated 25 minutes to respond; the average non-interviewed respondent an estimated 7 minutes to respond; the average follow-up interview is estimated at 15 minutes, and the average follow-up for a non-interview is estimated at 1 minute.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The requested revision will not change the annual burden hours. There are an estimated 120,810 annual burden hours associated with this collection.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: April 6, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2018-07448 Filed 4-10-18; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF LABOR

Employee Benefits Security Administration

Proposed Extension of Information Collection Requests Submitted for Public Comment

AGENCY: Employee Benefits Security Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed 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. The Employee Benefits Security Administration (EBSA) is soliciting comments on the proposed extension of the information collection requests (ICRs) contained in the documents

described below. A copy of the ICRs may be obtained by contacting the office listed in the **ADDRESSES** section of this notice. ICRs also are available at [reginfo.gov](http://www.reginfo.gov/public/do/PRAMain) (<http://www.reginfo.gov/public/do/PRAMain>).

DATES: Written comments must be submitted to the office shown in the Addresses section on or before June 11, 2018.

ADDRESSES: G. Christopher Cosby, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW, Room N-5718, Washington, DC 20210, ebsa.opr@dol.gov, (202) 693-8410, FAX (202) 219-4745 (these are not toll-free numbers).

SUPPLEMENTARY INFORMATION: This notice requests public comment on the Department's request for extension of the Office of Management and Budget's (OMB) approval of ICRs contained in the rules and prohibited transaction exemptions described below. The Department is not proposing any changes to the existing ICRs at this time. An agency may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a valid OMB control number. A summary of the ICRs and the current burden estimates follows:

Agency: Employee Benefits Security Administration, Department of Labor.

Title: ERISA Procedure 76-1 Advisory Opinion Procedure.

Type of Review: Extension of a currently approved information collection.

OMB Number: 1210-0066.

Affected Public: Businesses or other for-profits.

Respondents: 29.

Responses: 29.

Estimated Total Burden Hours: 299.

Estimated Total Burden Cost

(Operating and Maintenance): \$731,000.

Description: Under ERISA, the Department has responsibility to administer the reporting, disclosure, fiduciary and other standards for pension and welfare benefit plans. In 1976, the Department issued ERISA Procedure 76-1, Procedure for ERISA Advisory Opinions (ERISA Procedure), in order to establish a public process for requesting guidance from EBSA on the application of ERISA to particular circumstances. The ERISA Procedure sets forth specific administrative procedures for requesting either an advisory opinion or an information letter and describes the types of questions that may be submitted. As part of the ERISA Procedure, requesters are instructed to provide information to EBSA concerning the circumstances

governing their request. EBSA relies on the information provided by the requester to analyze the issue presented and provide guidance. The ERISA Procedure has been in use since 1976, and the Department has issued hundreds of advisory opinions and information letters under its rules. The ICR was approved by OMB under OMB Control Number 1210-0066 and is scheduled to expire on August 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: ERISA Technical Release 91-1.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0084.

Affected Public: Businesses or other for-profits.

Respondents: 10.

Responses: 80,015.

Estimated Total Burden Hours: 1,668.

Estimated Total Burden Cost (Operating and Maintenance): \$26,898.

Description: The information collection requirements arise from ERISA section 101(e), which establishes notice requirements that must be satisfied before an employer may transfer excess assets from a defined benefit pension plan to a retiree health benefit account, as permitted under the conditions set forth in section 420 of the Internal Revenue Code of 1986.

The notice requirements of section 101(e) are two-fold. First, subsection (e)(1) requires plan administrators to provide advance written notification of such transfers to participants and beneficiaries. Second, subsection (e)(2)(A) requires employers to provide advance written notification of such transfers to the Secretaries of Labor and the Treasury, the plan administrator, and each employee organization representing participants in the plan. Both notices must be given at least 60 days before the transfer date. The two subsections prescribe the information to be included in each type of notice and further give the Secretary of Labor the authority to prescribe how notice to participants and beneficiaries must be given and any additional reporting requirements deemed necessary.

Although the Department of Labor has not issued regulations under section 101(e), on May 8, 1991, the Department published ERISA Technical Release 91-1, to provide guidance on how to satisfy the notice requirements prescribed by this section. The Technical Release made two changes in the statutory requirements for the second type of notice. First, it required the notice to include a filing date and the intended asset transfer date. Second, it simplified

the statutory filing requirements by providing that filing with the Department of Labor would be deemed sufficient notice to both the Department and the Department of the Treasury as required under the statute. The ICR was approved by OMB under OMB Control Number 1210-0084 and is scheduled to expire on August 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Disclosures by Insurers to General Account Policyholders.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0114.

Affected Public: Businesses or other for-profits.

Respondents: 32,000.

Responses: 32,000.

Estimated Total Burden Hours: 135,000.

Estimated Total Burden Cost (Operating and Maintenance): \$12,000.

Description: Section 1460 of the Small Business Job Protection Act of 1996 (Pub. L. 104-188) (SBJPA) amended added a new section 401(c) to the Employee Retirement Income Security Act of 1974 (ERISA). This new section, inter alia, required the Department to promulgate a regulation providing guidance, applicable only to insurance policies issued on or before December 31, 1998, to or for the benefit of employee benefit plans, to clarify the extent to which assets held in an insurer's general account under such contracts are "plan assets" within the meaning of the ERISA, because the policies are not "guaranteed benefit policies" within the meaning of section 401(b) of ERISA. SBJPA further directed the Department to set standards for how insurers should manage the specified insurance policies (called Transition Policies). Pursuant to the authority and direction given under SBJPA, the Department promulgated a final regulation on January 5, 2000 (65 FR 714), which is codified at 29 CFR 2550.401c-1. This regulation has not been amended subsequently. The ICR was approved by OMB under OMB Control Number 1210-0114 and is scheduled to expire on August 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Employee Retirement Income Security Act Blackout Period Notice.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0122.

Affected Public: Businesses or other for-profits.

Respondents: 44,000.

Responses: 6,400,000.

Estimated Total Burden Hours: 198,000.

Estimated Total Burden Cost (Operating and Maintenance): \$2,100,000.

Description: The Sarbanes-Oxley Act (SOA), enacted on July 30, 2002, added ERISA section 101(i), which requires individual account pension plans to furnish a written notice to participants and beneficiaries in advance of any "blackout period" during which their existing rights to direct or diversify their investments under the plan, or obtain a loan or distribution from the plan will be temporarily suspended. Under 306(b)(2) of SOA, the Secretary of Labor was directed to issue interim final rules necessary to implement the SOA amendments. The Department's regulation for this purpose is codified at 29 CFR 2520.101-3. The ICR was approved by OMB under OMB Control Number 1210-0122 and is scheduled to expire on August 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Annual Information Return/Report of Employee Benefit Plan.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0110.

Affected Public: Businesses or other for-profits.

Respondents: 838,575.

Responses: 838,575.

Estimated Total Burden Hours: 586,765.

Estimated Total Burden Cost (Operating and Maintenance): 257,414,600.

Description: Under Titles I and IV of ERISA, and the Internal Revenue Code, as amended (Code), pension and other employee benefit plans generally are required to file annual returns/reports concerning, among other things, the financial condition and operations of the plan. Filing the Form 5500, "Annual Return/Report of Employee Benefit Plan," together with any required attachments and schedules (Form 5500 Annual Return/Report) through the ERISA Filing Acceptance System 2 (EFAST2) generally satisfies these annual reporting requirements. The Form 5500 Annual Return/Report is the primary source of information concerning the operation, funding, assets, and investments of pension and other employee benefit plans. In addition to being an important disclosure document for plan participants and beneficiaries, the Form 5500 Annual Return/Report is a compliance and research tool for the

Department of Labor (Department), Internal Revenue Service (IRS), and the Pension Benefit Guaranty Corporation (PBGC) (collectively, the Agencies) and a source of information and data for use by other federal agencies, Congress, and the private sector in assessing employee benefit, tax, and economic trends and policies. The ICR was approved by OMB under OMB Control Number 1210-0110 and is scheduled to expire on August 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Registration for EFAST-2 Credentials.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0117.

Affected Public: Businesses or other for-profits.

Respondents: 305,000.

Responses: 305,000.

Estimated Total Burden Hours: 101,667.

Estimated Total Burden Cost (Operating and Maintenance): \$0.

Description: ERISA Section 104 requires administrators of pension and welfare benefit plans (collectively, employee benefit plans), and employers sponsoring certain fringe benefit plans and other plans of deferred compensation, to file returns/reports annually with the Secretary of Labor (the Secretary) concerning the financial condition and operation of the plans. Reporting requirements are satisfied by filing the Form 5500 in accordance with its instructions and the related regulations. Beginning with plan year filings for 1999, Form 5500 filings were processed under the ERISA Filing Acceptance System (EFAST), which was designed to simplify and expedite the receipt and processing of the Form 5500 by relying on computer scannable forms and electronic filing technologies.

Beginning with plan year filings for 2009, Form 5500 filings are processed under a new system, the ERISA Filing Acceptance System 2 (EFAST-2), which is designed to simplify and expedite the receipt and processing of the Form 5500 by relying on internet-based forms and electronic filing technologies. In order to file electronically, employee benefit plan filing authors, schedule authors, filing signers, Form 5500 transmitters, and entities developing software to complete and/or transmit the Form 5500 are required to register for EFAST-2 credentials through the EFAST-2 website. Requested information includes: Applicant type (filing author, filing signer, schedule author, transmitter, or software developer);

mailing address; fax number (optional); email address; company name, contact person; and daytime telephone number. Registrants must also provide an answer to a challenge question ("What is your date of birth?" or "Where is your place of birth?"), which enables users to retrieve forgotten credentials. In addition, registrants must accept a Privacy Agreement; PIN Agreement; and, under penalty of perjury, a Signature Agreement. The ICR was approved by OMB under OMB Control Number 1210-0117 and is scheduled to expire on September 30, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: PTE 1990-1; Insurance Company Pooled Separate Accounts.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0083.

Affected Public: Businesses or other for-profits.

Respondents: 96.

Responses: 960.

Estimated Total Burden Hours: 160.

Estimated Total Burden Cost (Operating and Maintenance): \$0.

Description: PTE 90-1 provides an exemption from certain provisions of ERISA relating to transactions involving insurance company pooled separate accounts in which employee benefit plans participate. Without the exemption, sections 406 and 407(a) of ERISA and section 4975(c)(1) of the Internal Revenue Code might prohibit a party in interest to a plan from furnishing goods or services to an insurance company pooled separate account in which the plan has an interest, or prohibit engaging in other transactions. Under the exemption, persons who are parties in interest to a plan that invests in a pooled separate account, such as a service provider, may engage in otherwise prohibited transactions with the separate account if the plan's participation in the separate account does not exceed specified limits and other conditions are met. These other conditions include a requirement that the party in interest not be the insurance company, or an affiliate thereof, that holds the plan assets in its pooled separate account or other separate account. The terms of the transaction to which the exemption is applied must be at least as favorable to the pooled separate account as those that would be obtained in a separate arms-length transaction with an unrelated party, and the insurance company must maintain records of any transaction to which the exemption applies for a period of six years. This

ICR covers this recordkeeping requirement. The ICR was approved by OMB under OMB Control Number 1210-0083 and is scheduled to expire on December 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Settlement Agreements Between a Plan and a Party in Interest.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0091.

Affected Public: Businesses or other for-profits.

Respondents: 6.

Responses: 1,620.

Estimated Total Burden Hours: 42.

Estimated Total Burden Cost (Operating and Maintenance): \$542.

Description: Section 408(a) of ERISA and section 4975(c)(2) of the Internal Revenue Code of 1986 (the Code) give the Secretary of Labor the authority to grant an exemption to a class or order of fiduciaries, disqualified persons, or transactions from all or part of the restrictions imposed by sections 406 and 407(a) of ERISA and from the taxes imposed by sections 4975(a) and (b) of the Code, by reason of section 4975(c)(1) of the Code. This information collection request (ICR) relates to two prohibited transaction class exemptions (PTEs) that the Department of Labor (the Department) has granted, both of which involve settlement agreements. These two exemptions are described below:

PTE 94-71. Granted on September 30, 1994, PTE 94-71 exempts from certain restrictions of ERISA and certain taxes imposed by the Code, a transaction or activity that is authorized, prior to the execution of the transaction or activity, by a settlement agreement resulting from an investigation of an employee benefit plan conducted by the Department.

PTE 2003-39. Granted on December 31, 2005, PTE 03-39 exempts from certain restrictions of ERISA and certain taxes imposed by the Code, transactions arising out of the settlement of litigation that involve the release of claims against parties in interest in exchange for payment by or on behalf of the party in interest, provided that certain conditions are met.

Because both exemptions involve settlement agreements, the Department has combined their information collection provisions into one ICR and has obtained OMB approval for their paperwork burden. The Department believes that the public and the Federal government are both best served by allowing the public to review and comment on similar exemption

provisions in combination. The ICR was approved by OMB under OMB Control Number 1210–0091 and is scheduled to expire on December 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Prohibited Transaction Class Exemption for Cross-Trades of Securities by Index and Model-Driven Funds (PTCE 2002–12).

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210–0115.

Affected Public: Businesses or other for-profits.

Respondents: 60.

Responses: 840.

Estimated Total Burden Hours: 855.

Estimated Total Burden Cost (Operating and Maintenance): \$800.

Description: PTE 2002–12 exempts certain transactions that would be prohibited under ERISA and the Federal Employees' Retirement System Act (FERSA), and provides relief from certain sanctions of the Internal Revenue Code of 1986 (the Code). The exemption permits cross-trades of securities among Index and Model-Driven Funds (Funds) managed by managers (Managers), and among such Funds and certain large accounts (Large Accounts) that engage such Managers to carry out a specific portfolio restructuring program or to otherwise act as a "trading adviser" for such a program. By removing existing barriers to these types of transactions, the exemption increases the incidences of cross-trading, thereby lowering the transaction costs to plans in a number of ways from what they would be otherwise.

In order for the Department to grant an exemption for a transaction or class of transactions that would otherwise be prohibited under ERISA, the statute requires the Department to make a finding that the exemption is administratively feasible, in the interest of the plan and its participants and beneficiaries, and protective of the rights of the participants and beneficiaries. To ensure that Managers have complied with the requirements of the exemption, the Department has included in the exemption certain recordkeeping and disclosure obligations that are designed to safeguard plan assets by periodically providing information to plan fiduciaries, who generally must be independent from the cross-trading program. Initially, where plans are not invested in Funds, Managers must furnish information to plan fiduciaries about the cross-trading program,

provide a statement that the Manager will have a potentially conflicting division of loyalties, and obtain written authorization from a plan fiduciary for a plan to participate in a cross-trading program. For plans that are currently invested in Funds, the Manager must provide annual notices to update the plan fiduciary and provide the plan with an opportunity to withdraw from the program. For Large Accounts, prior to the cross-trade, the Manager must provide information about the cross-trading program and obtain written authorization from the fiduciary of a Large Account to engage in cross-trading in connection with a portfolio restructuring program. Following completion of the Large Account's restructuring, information must be provided by the Manager about all cross-trades executed in connection with a portfolio-restructuring program. Finally, the exemption requires that Managers maintain for a period of 6 years from the date of each cross-trade the records necessary to enable plan fiduciaries and certain other persons specified in the exemption (e.g., Department representatives or contributing employers), to determine whether the conditions of the exemption have been met.

The ICR was approved by OMB under OMB Control Number 1210–0113 and is scheduled to expire on December 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Voluntary Fiduciary Correction Program.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210–0118.

Affected Public: Businesses or other for-profits.

Respondents: 1,800.

Responses: 50,700.

Estimated Total Burden Hours: 8,100.

Estimated Total Burden Cost (Operating and Maintenance): \$329,200.

Description: This information collection arises from two related actions: the Voluntary Fiduciary Correction Program (the VFC Program or the Program) and Prohibited Transaction Class Exemption (PTE) 2002–51 (the Exemption). The Department adopted the Program and the Exemption in order to encourage members of the public to voluntarily correct transactions that violate (or are suspected of violating) the fiduciary or prohibited transaction provisions of the ERISA. Both the Program and the Exemption incorporate information collection requirements in order to

protect participants and beneficiaries and enable the Department to oversee the appropriate use of the Program and the Exemption. The ICR was approved by OMB under OMB Control Number 1210–0118 and is scheduled to expire on December 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Acquisition and Sale of Trust Real Estate Investment Trust Shares by Individual Account Plans Sponsored by Trust Real Estate Investment Trusts.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210–0124.

Affected Public: Businesses or other for-profits.

Respondents: 52.

Responses: 109,200.

Estimated Total Burden Hours: 5,469.

Estimated Total Burden Cost (Operating and Maintenance): \$346,000.

Description: PTE 2004–07 exempts from certain prohibited transaction restrictions of ERISA and from certain taxes imposed by the Internal Revenue Code of 1986 (the Code), the acquisition, holding, sale, and contribution in kind of publicly traded shares of beneficial interest in a real estate investment trust that is structured under State law as a business trust (Trust REIT), on behalf of and to individual account plans sponsored by the REIT or its affiliates, provided that certain conditions are met.

The exemption allows individual account plans (Plans) established by Trust REITs to offer a beneficial interest in the Trust REIT in the form of Qualifying REIT Shares, as defined in the exemption, to participants in Plans sponsored by the REIT or its employer affiliates, to require that employer contributions be used to purchase such shares, and to permit "contributions in kind" of such shares to these Plans by employers.

The exemption conditions relief on compliance with a number of information collection requirements. These information collections are to be provided or made available to plan participants and fiduciaries in order to inform them about investments in Qualifying REIT Shares and the conditions of the exemption permitting share transactions. Records sufficient to allow them to determine whether the exemption conditions are met must also be maintained, and made available to them upon request, for a period of six years. These records must also be made available on request to employers and employee organizations with employees and members covered by a Plan of the

Trust REIT or one of its employer affiliates, and to authorized employees and representatives of the Department and the Internal Revenue Service. EBSA submitted an ICR for the information collections in PTE 2004–07 to the Office of Management and Budget (OMB) for review and clearance in connection with proposal of the class exemption, which was published in the **Federal Register** on June 3, 2003 (68 FR 33185). The ICR was approved by OMB under OMB Control Number 1210–0124 and is scheduled to expire on December 31, 2018.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Abandoned Individual Account Plan Termination.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210–0127.

Affected Public: Businesses or other for-profits.

Respondents: 26,700.

Responses: 1,308,000.

Estimated Total Burden Hours: 47,700.

Estimated Total Burden Cost (Operating and Maintenance): \$689,000.

Description: The abandoned plan initiative includes the following actions, which impose the following information collections:

1. **Qualified Termination Administrator (QTA) Regulation:** The QTA regulation creates an orderly and efficient process by which a financial institution that holds the assets of a plan that is deemed to have been abandoned may undertake to terminate the plan and distribute its assets to participants and beneficiaries holding accounts under the plan, with protections and approval of the Department under the standards of the regulation. The regulation requires the QTA to provide certain notices to the Department, to participants and beneficiaries, and to the plan sponsor (or service providers to the plan, if necessary), and to keep certain records pertaining to the termination.

2. **Abandoned Plan Terminal Report Regulation:** The terminal report regulation provides an alternative, simplified method for a QTA to satisfy the annual report requirement otherwise applicable to a terminating plan by filing a special simplified terminal report with the Department after terminating an abandoned plan and distributing the remaining assets in the individual account plans to participants and beneficiaries.

3. **Terminated Plan Distribution Regulation:** The terminated plan

distribution regulation establishes a safe harbor method by which fiduciaries who are terminating individual account pension plans (whether abandoned or not) may select an investment vehicle to receive account balances distributed from the terminated plan when the participant has failed to provide investment instructions. The regulation requires the fiduciaries to provide advance notice to participants and beneficiaries of how such distributions will be invested, if no other investment instructions are provided.

4. **Abandoned Plan Class Exemption:** The exemption permits a QTA that terminates an abandoned plan under the QTA regulation to receive payment for its services from the abandoned plan and to distribute the account balance of a participant who has failed to provide investment direction into an individual retirement account (IRA) maintained by the QTA or an affiliate. Without the exemption, financial institutions would be unable to receive payment for services rendered out of plan assets without violating ERISA's prohibited transaction provisions and would therefore be highly unlikely to undertake the termination of abandoned plans. The exemption includes the condition that the QTA keep records of the distributions for a period of six years and make such records available on request to interested persons (including the Department and participants and beneficiaries). If a QTA wishes to be paid out of plan assets for services provided prior to becoming a QTA, the exemption requires that the QTA enter into a written agreement with a plan fiduciary or the plan sponsor prior to receiving payment and that a copy of the agreement be provided to the Department.

5. **PTE 2004–16 (Automatic Rollover Exemption):** Also included in this ICR are the notice and recordkeeping requirements contained in PTE 2004–16, which permits a pension plan fiduciary that is a financial institution and is also the employer maintaining an individual account pension plan for its employees to establish, on behalf of its separated employees, an IRA at a financial institution that is either the employer or an affiliate, which IRA would receive mandatory distributions that the fiduciary “rolls over” from the plan when an employee terminates employment.

Because all of these regulations and exemptions relate to terminating or abandoned plans and/or to distribution and rollover of distributed benefits for which no participant investment election has been made, the Department has combined the paperwork burden for

all of these actions into one ICR. In the Department's view, this combination allows the public to have a better understanding of the aggregate burden imposed on the public for these related regulatory actions. The ICR was approved by OMB under OMB Control Number 1210–0127 and is scheduled to expire on December 31, 2018.

I. Focus of Comments

The Department is particularly interested in comments that:

- Evaluate whether the collections of information are 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 collections of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and

- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., by permitting electronic submissions of responses.

Comments submitted in response to this notice will be summarized and/or included in the ICRs for OMB approval of the extension of the information collection; they will also become a matter of public record.

Joseph Piacentini,

Director, Office of Policy and Research, Employee Benefits Security Administration.

[FR Doc. 2018–07459 Filed 4–10–18; 8:45 am]

BILLING CODE 4510–29–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2011–0190]

Shipyards Employment Standards; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comments.

SUMMARY: OSHA solicits public comments concerning its proposal to extend OMB approval of the information collection requirements contained in the Shipyard Employment Standards of Subpart G—Gear and

Equipment for Rigging and Materials Handling and Subpart K—Portable, Unfired Pressure Vessels, Drums and Containers, Other than Ship's Equipment. The purpose of the collection of information (paperwork) provisions of the Standards is to reduce workers' risk of death or serious injury by ensuring that equipment has been tested and is in safe operating condition.

DATES: Comments must be submitted (postmarked, sent, or received) by June 11, 2018.

ADDRESSES:

Electronically: You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

Facsimile: If your comments, including attachments, are not longer than 10 pages you may fax them to the OSHA Docket Office at (202) 693-1648.

Mail, hand delivery, express mail, messenger, or courier service: When using this method, you must submit a copy of your comments and attachments to the OSHA Docket Office, Docket No. OSHA-2011-0190, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue NW, Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 10:00 a.m. to 3:00 p.m., ET.

Instructions: All submissions must include the Agency name and the OSHA docket number (OSHA-2011-0190) for the Information Collection Request (ICR). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at <http://www.regulations.gov>. For further information on submitting comments, see the "Public Participation" heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

Docket: To read or download comments or other material in the docket, go to <http://www.regulations.gov> or the OSHA Docket Office at the address above. All documents in the docket (including this **Federal Register** notice) are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download from the website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office.

You may also contact Theda Kenney at the number below to obtain a copy of the ICR.

FOR FURTHER INFORMATION CONTACT: Charles McCormick or Theda Kenney, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor, Telephone (202) 693-2222.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (*i.e.*, employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)).

This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the OSH Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657).

Manila rope and manila-rope slings (paragraph 1915.112(a)(1))—The employer must ensure that manila rope and manila-rope slings have permanently affixed and legible identification markings as prescribed by the manufacturer that indicate the recommended safe working load for the type(s) of hitch(es) used, the angle upon which it is based, and the number of legs if more than one.

Wire rope and wire-rope slings (paragraph 1915.112(b)(1)(i))—The employer must ensure that wire rope and wire-rope slings have permanently affixed and legible identification markings as prescribed by the manufacturer that indicate the recommended safe working load for the type(s) of hitch(es) used, the angle upon which it is based, and the number of legs if more than one.

Chain and chain slings (paragraph 1915.112(c)(1)(i))—The employer must

ensure that chain and chain slings have permanently affixed and legible identification markings as prescribed by the manufacturer that indicate the recommended safe working load for the type(s) of hitch(es) used, the angle upon which it is based, and the number of legs if more than one.

Chain and chain slings (paragraph 1915.112(c)(2))—The employer shall visually inspect all chain slings, including end fastenings, before being used on the job, as well as every three months. The employer shall inspect for wear, defective welds, deformation and an increase in length or stretch. Each chain shall bear an indication of the month in which it was thoroughly inspected.

Shackles (paragraph 1915.113(a)(1))—The employer must ensure that shackles have permanently affixed and legible identification markings as prescribed by the manufacturer that indicate the recommended safe working load.

Test records for hooks (paragraph 1915.113(b)(1))—This paragraph requires that the manufacturer's recommendations be followed in determining the safe working loads of the various sizes and types of hooks. If the manufacturer's recommendations are not available, the hook must be tested to twice the intended safe working load before it is initially put into use. The employer must maintain and keep readily available a certification record which includes the date of such test, the signature of the person who performed the test, and an identifier for the hook which was tested.

The records are used to ensure that equipment has been properly tested. The records also provide the most efficient means for the compliance officers to determine that an employer is complying with the Standard.

Chain falls and pull-lifts (paragraph 1915.114(a))—The employer must ensure that all chain falls and pull-lifts are clearly marked to show the capacity and the capacity must not be exceeded.

Mobile crawler or truck cranes used on a vessel (paragraph 1915.115(c))—This paragraph requires that the maximum manufacturer's rated safe working loads for the various working radii of the boom and the maximum and minimum radii at which the boom may be safely used with and without outriggers, shall be conspicuously posted near the controls and shall be visible to the operator.

General precautions (paragraph 1915.131(g))—The employer must ensure that all headers, manifolds and widely spaced hose connections on compressed air lines bear the word "air"

in letters at least 1-inch high, which must be painted either on the manifolds or separate hose connections, or on signs permanently attached to the manifolds or connections. Grouped air connections may be marked in one location.

Examination and test records for unfired pressure vessels (paragraphs 1915.172(b) and (d))—Paragraph (b) requires that portable, unfired pressure vessels not built to the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section VIII, Rules for Construction of Unfired Pressure Vessels, 1963 be examined *quarterly* by a competent person, and subjected to a *yearly* hydrostatic pressure test as defined by paragraph (b). A certification record of such examinations and tests shall be maintained as specified in paragraph (d).

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

III. Proposed Actions

OSHA is requesting an adjustment increase in the existing burden hour estimate for the collection of information requirements specified by the Standards from 9,773 hours to 11,813 hours, a total increase of 2,040 hours. This increase is due to an increase in the number of establishments using this equipment. In this ICR, the scope of the maritime standards in 29 CFR part 1915 for slings, shackles, and hooks are based on the Final Economic Analysis for the Final Rule revising 29 CFR part 1915, subpart F prepared by OSHA's Office of Regulatory Analysis. As a result of the Final Rule, the revision of the standard applies to all shipyard employment which is defined in § 1915.4(i) as ship repairing, shipbuilding, shipbreaking, and related employment. Also, upon further analysis, the Agency identified two new collections of information

contained in the Standard under paragraphs §§ 1915.112(c)(2) and 1915.115(c)(1). The Agency will summarize any comments submitted in response to this notice and will include this summary in its request to OMB.

Type of Review: Extension of a currently approved collection.

Title: Shipyard Employment Standards (29 CFR part 1915).

OMB Number: 1218-0220.

Affected Public: Business or other for-profits; Not-for-profit organizations; Federal Government; State, Local, or Tribal Government.

Number of Respondents: 4,871.

Frequency of Response: On occasion.

Average Time per Response: Various.

Estimated Total Burden Hours: 11,813.

Estimated Cost (Operation and Maintenance): \$0.

IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows: (1) Electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile (fax); or (3) by hard copy. All comments, attachments, and other material must identify the Agency name and the OSHA docket number for the ICR (Docket No. OSHA-2011-0190). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number, so the Agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information, such as social security numbers and dates of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted

material) is not publicly available to read or download from this website.

All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> website to submit comments and access the docket is available at the website's "User Tips" link. Contact the OSHA Docket Office for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

V. Authority and Signature

Loren Sweatt, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1-2012 (77 FR 3912).

Signed at Washington, DC, on April 5, 2018.

Loren Sweatt,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2018-07419 Filed 4-10-18; 8:45 am]

BILLING CODE 4510-26-P

THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services

Notice of Proposed Information Collection Requests: 2019-2021 IMLS Native Hawaiian Library Program Notice of Funding Opportunity

AGENCY: Institute of Museum and Library Services, National Foundation on the Arts and the Humanities.

ACTION: Notice, request for comments on this collection of information.

SUMMARY: The Institute of Museum and Library Services (IMLS), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act. This pre-clearance consultation program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. By this notice,

IMLS is soliciting comments concerning a plan to offer a grant program targeted to the needs of libraries, aligned to the updated IMLS Strategic Framework for 2019–2021, IMLS Grants for Native Hawaiian Library Program.

A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before June 8, 2018.

ADDRESSES: Send comments to: Dr. Sandra Webb, Senior Advisor, Office of the Director, Institute of Museum and Library Services, 955 L'Enfant Plaza North, SW, Suite 4000, Washington, DC 20024–2135. Dr. Webb can be reached by Telephone: 202–653–4718 Fax: 202–653–4608, or by email at swebb@imls.gov, or by teletype (TTY/TDD) for persons with hearing difficulty at 202–653–4614.

FOR FURTHER INFORMATION CONTACT: Dr. Sandra Webb, Senior Advisor, Office of the Director, Institute of Museum and Library Services, 955 L'Enfant Plaza North, SW, Suite 4000, Washington, DC 20024–2135. Dr. Webb can be reached by Telephone: 202–653–4718 Fax: 202–653–4608, or by email at swebb@imls.gov, or by teletype (TTY/TDD) for persons with hearing difficulty at 202–653–4614.

SUPPLEMENTARY INFORMATION:

I. Background

The Institute of Museum and Library Services is the primary source of federal support for the nation's approximately 120,000 libraries and 35,000 museums and related organizations. Our mission is to inspire libraries and museums to advance innovation, lifelong learning, and cultural and civic engagement. Our grant making, policy development, and research help libraries and museums deliver valuable services that make it possible for communities and individuals to thrive. To learn more, visit www.imls.gov.

II. Current Actions

Native Hawaiian grants are competitive grants available to carry out activities, described in 20 U.S.C. 9141, that enhance existing library services or implement new library services. Native Hawaiian Library Services grants are available to nonprofit organizations that primarily serve and represent Native Hawaiians (as the term is defined in 20 U.S.C. 7517). The term "Native Hawaiian" refers to an individual who is a citizen of the United States and a descendant of the aboriginal people

who, before 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii. Successful Native Hawaiian grant projects should result in measureable changes and outcomes, such as increased understanding, interest, and confidence among participants. Successful Native Hawaiian grant projects support the activities described in 20 U.S.C. 9141, for example:

- Support for individuals' needs for education, lifelong learning, workforce development, and digital literacy skills;
- Improvement of the quality of and access to library and information services; and
- Enhancement of the skills of the current library workforce and leadership.

This action is to renew the forms and instructions for the Notice of Funding Opportunities for the next three years.

Agency: Institute of Museum and Library Services.

Title: 2019–2021 IMLS Native Hawaiian Program Notice of Funding Opportunity.

OMB Number: 3137–0102.

Frequency: Once per year.

Affected Public: Nonprofit organizations that primarily serve and represent Native Hawaiians.

Number of Respondents: 7.

Estimated Average Burden per

Response: 40 hours.

Estimated Total Annual Burden: 280 hours.

Total Annualized capital/startup costs: n/a.

Total Annual costs: \$7933.

Public Comments Invited: Comments submitted in response to this notice will be summarized and/or included in the request for OMB's clearance of this information collection.

IMLS is particularly interested in comments that help the agency 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 methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques, or other forms of information technology, e.g., permitting electronic submissions of responses.

Dated: April 5, 2018.

Kim Miller,

Grants Management Specialist, Office of Grant Policy and Management.

[FR Doc. 2018–07378 Filed 4–10–18; 8:45 am]

BILLING CODE 7036–01–P

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Institute of Museum and Library Services

Submission for OMB Review, Comment Request, Proposed Collection: 2019–2021 IMLS Peer Reviewer Nomination Forms

AGENCY: Institute of Museum and Library Services, National Foundation on the Arts and Humanities.

ACTION: Submission for OMB review, comment request.

SUMMARY: The Institute of Museum and Library Services announces the following information collection has been submitted to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Comments must be submitted to the office listed in the **FOR FURTHER INFORMATION CONTACT** section below on or before May 8, 2018.

OMB is particularly interested in comments that help the agency 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 methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other

technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

ADDRESSES: Comments should be sent to Office of Information and Regulatory Affairs, Attn.: OMB Desk Officer for Education, Office of Management and Budget, Room 10235, Washington, DC 20503, (202) 395-7316.

FOR FURTHER INFORMATION CONTACT: Dr. Sandra Webb, Director of Grant Policy and Management, Institute of Museum and Library Services, 955 L'Enfant Plaza North, SW, Suite 4000, Washington, DC 20024-2135. Dr. Webb can be reached by Telephone: 202-653-4718, Fax: 202-653-4608, or by email at swebb@imls.gov, or by teletype (TTY/TDD) for persons with hearing difficulty at 202-653-4614.

SUPPLEMENTARY INFORMATION: The Institute of Museum and Library Services is the primary source of federal support for the Nation's 120,000 libraries and 35,000 museums and related organizations. The Institute's mission is to inspire libraries and museums to advance innovation, lifelong learning, and cultural and civic engagement. Our grant making, policy development, and research help libraries and museums deliver valuable services that make it possible for communities and individuals to thrive. To learn more, visit www.imls.gov.

Current Actions: This notice proposes the clearance of the IMLS Peer Reviewer Nomination Forms. The 60-day Notice for the "Notice of Proposed Information Collection Requests: 2019-2021 IMLS "Peer Reviewer Nomination Forms" was published in the **Federal Register** on February 27, 2018 (83 FR 8507). The agency has received no public comments under this notice.

All proposals submitted for IMLS competitive awards are reviewed by library and museum professionals who know the needs of communities, can share promising practices, and are well versed in the issues and concerns of museums and libraries today. Peer reviewers dedicate their time and expertise to advance the highest professional practices in the field. The IMLS review process is well respected, and the success of our grant programs is largely due to the expertise of our reviewers. These Peer Reviewer Nomination forms, accessed through the IMLS website, allow library and museum professionals to indicate their interest and expertise to be considered for selection as an IMLS peer reviewer. There are two forms, one for library professionals and one for museum professionals.

Agency: Institute of Museum and Library Services.

Title: Peer Reviewer Nomination Forms.

OMB Number: 3137-0099.

Frequency: Once per year.

Affected Public: Library and Museum applicants.

Number of Respondents: 1770.

Estimated Average Burden per

Response: 30 hours.

Estimated Total Annual Burden: 850 hours.

Total Annualized capital/startup costs: n/a.

Total Annual costs: \$23,749.

Dated: April 5, 2018.

Kim A. Miller,

Grants Management Specialist, Office of Grant Policy and Management.

[FR Doc. 2018-07376 Filed 4-10-18; 8:45 am]

BILLING CODE 7036-01-P

THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Institute of Museum and Library Services

Notice of Proposed Information Collection Requests: 2019-2021 IMLS Native American Basic Library Program Notice of Funding Opportunity

AGENCY: Institute of Museum and Library Services, National Foundation on the Arts and the Humanities

ACTION: Notice, request for comments on this collection of information.

SUMMARY: The Institute of Museum and Library Services (IMLS), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act. This pre-clearance consultation program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. By this notice, IMLS is soliciting comments concerning a plan to offer a grant program targeted to the needs of Native American libraries, aligned to the updated IMLS Strategic Framework for 2019-2021, IMLS Native American Basic Library Program.

A copy of the proposed information collection request can be obtained by

contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before June 8, 2018.

ADDRESSES: Send comments to: Dr. Sandra Webb, Senior Advisor, Office of the Director, Institute of Museum and Library Services, 955 L'Enfant Plaza North SW, Suite 4000, Washington, DC 20024-2135. Dr. Webb can be reached by Telephone: 202-653-4718, Fax: 202-653-4608, or by email at swebb@imls.gov, or by teletype (TTY/TDD) for persons with hearing difficulty at 202-653-4614.

FOR FURTHER INFORMATION CONTACT: Dr. Sandra Webb, Senior Advisor, Office of the Director, Institute of Museum and Library Services, 955 L'Enfant Plaza North SW, Suite 4000, Washington, DC 20024-2135. Dr. Webb can be reached by Telephone: 202-653-4718, Fax: 202-653-4608, or by email at swebb@imls.gov, or by teletype (TTY/TDD) for persons with hearing difficulty at 202-653-4614.

SUPPLEMENTARY INFORMATION:

I. Background

The Institute of Museum and Library Services is the primary source of federal support for the nation's approximately 120,000 libraries and 35,000 museums and related organizations. Our mission is to inspire libraries and museums to advance innovation, lifelong learning, and cultural and civic engagement. Our grant making, policy development, and research help libraries and museums deliver valuable services that make it possible for communities and individuals to thrive. To learn more, visit www.imls.gov.

II. Current Actions

Native American Basic Grants support existing library operations and maintain core library services, particularly as they relate to the following goals in the Museum and Library Services Act (20 U.S.C. 9141).

1. Expanding services for learning and access to information and educational resources in a variety of formats, in all types of libraries, for individuals of all ages in order to support such individuals' need for education, lifelong learning, workforce development, and digital library skills.

2. Establishing or enhancing electronic and other linkages and improved coordination among and between libraries and entities, as described in 20 U.S.C. 9134(b)(6), for the purpose of improving the quality of

and access to library and information services.

3. (a) Providing training and professional development, including continuing education, to enhance the skills of the current library workforce and leadership, and advance the delivery of library and information services.

(b) Enhancing efforts to recruit future professionals to the field of library and information services.

4. Developing public and private partnerships with other agencies and community-based organizations.

5. Targeting library services to individuals of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to individuals with limited functional literacy or information skills.

6. Targeting library and information services to persons having difficulty using a library and to underserved urban and rural communities, including children (from birth through age 17) from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 9902(2) of Title 42) applicable to a family of the size involved.

7. Developing library services that provide all users access to information through local, State, regional, national, and international collaborations and networks.

8. Carrying out other activities consistent with the purposes of the Library Services and Technology subchapter of the IMLS statute (20 U.S.C. 9121).

Indian tribes are eligible to apply for funding under the Native American Library Services Enhancement Grant program. Entities such as libraries, schools, tribal colleges, or departments of education are not eligible applicants, although they may be involved in the administration of this program and their staff may serve as project directors in partnership with an eligible applicant.

For purposes of funding under this program, "Indian tribe" means any tribe, band, nation, or other organized group or community, including any Alaska native village, regional corporation, or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*)), which is recognized by the Secretary of the Interior as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. A list of eligible entities is available from the Bureau of Indian Affairs.

To be eligible for this program you must be able to document an existing library that meets, at a minimum, three basic criteria: (1) Regularly scheduled hours, (2) staff, and (3) materials available for library users.

This action is to renew the forms and instructions for the Notice of Funding Opportunities for the next three years.

Agency: Institute of Museum and Library Services.

Title: 2019–2021 IMLS Native American Basic Library Program Notice of Funding Opportunity.

OMB Number: 3137–0093.

Frequency: Once per year.

Affected Public: American Indian tribes recognized by the Secretary of the Interior.

Number of Respondents: 233.

Estimated Average Burden per Response: 10 hours.

Estimated Total Annual Burden: 2330 hours.

Total Annualized capital/startup costs: n/a.

Total Annual costs: \$66,010.

Public Comments Invited: Comments submitted in response to this notice will be summarized and/or included in the request for OMB's clearance of this information collection.

IMLS is particularly interested in comments that help the agency 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 methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques, or other forms of information technology, *e.g.*, permitting electronic submissions of responses.

Dated: April 5, 2018.

Kim Miller,

Grants Management Specialist, Office of Grant Policy and Management.

[FR Doc. 2018–07377 Filed 4–10–18; 8:45 am]

BILLING CODE 7036–01–P

NUCLEAR REGULATORY COMMISSION

[NRC–2017–0180]

Information Collection: Voluntary Reporting of Planned New Reactor Applications

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to the Office of Management and Budget (OMB) for review. The information collection is entitled, "NRC Regulatory Issue Summary 2017–08, "Process for Scheduling and Allocating Resources for Fiscal Years 2020 through 2022 for the Review of New Licensing Applications for Light-Water Reactors and Non-Light Water Reactors."

DATES: Submit comments by May 11, 2018.

ADDRESSES: Submit comments directly to the OMB reviewer at: Brandon De Bruhl, Desk Officer, Office of Information and Regulatory Affairs (3150–0228), NEOB–10202, Office of Management and Budget, Washington, DC 20503; telephone: 202–395–0710, email: oir_submission@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: David Cullison, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: INFOCOLLECTS.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2017–0180 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2017–0180. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC–2017–0180 on this website.

- *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*. A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession No. ML17262B022. The supporting statement and Voluntary Reporting of Planned New Reactor Applications are available in ADAMS under Accession Nos. ML18085A776 and ML17262B022.

- *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.

- *NRC’s Clearance Officer*: A copy of the collection of information and related instructions may be obtained without charge by contacting the NRC’s Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–2084; email: *INFOCOLLECTS.Resource@NRC.GOV*.

B. Submitting Comments

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. All comment submissions are posted at *http://www.regulations.gov* and entered into ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, “NRC Regulatory Issue Summary 2017–08, “Process for Scheduling and Allocating Resources for Fiscal Years 2020 through 2022 for the Review of New Licensing

Applications for Light-Water Reactors and Non-Light Water Reactors.” The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on November 27, 2017, 82 FR 56059.

1. *The title of the information collection*: Voluntary Reporting of Planned New Reactor Applications.
2. *OMB approval number*: 3150–0228.
3. *Type of submission*: Extension.
4. *The form number if applicable*: N/A.
5. *How often the collection is required or requested*: Annually.
6. *Who will be required or asked to respond*: Applicants for a design certification and/or a license to build a new nuclear power plant.
7. *The estimated number of annual responses*: Five.
8. *The estimated number of annual respondents*: Five.
9. *An estimate of the total number of hours needed annually to comply with the information collection requirement or request*: 60.

10. **Abstract**: This voluntary information collection assists the NRC in determining resource and budget needs, as well as aligning the proper allocation and utilization of resources to support applicant submittals, future construction-related activities, and other anticipated part 50 and/or part 52 of title 10 of the *Code of Federal Regulations* (10 CFR) licensing and design certification rulemaking actions. In addition, information provided to the NRC staff is intended to promote early communications between the NRC and the respective addressees about potential 10 CFR part 50 and/or part 52 licensing actions and related activities, submission dates, and plans for construction and inspection activities. The overarching goal of this information collection is to assist the NRC staff more effectively and efficiently plan, schedule, and implement activities and reviews in a timely manner.

Dated at Rockville, Maryland, on April 5, 2018.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 2018–07456 Filed 4–10–18; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2018–135 and CP2018–196; MC2018–136 and CP2018–197; MC2018–137 and CP2018–198; MC2018–138 and CP2018–199; MC2018–139 and CP2018–200; MC2018–140 and CP2018–201; MC2018–141 and CP2018–202]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission’s consideration concerning negotiated service agreements. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due*: April 16, 2018 and April 17, 2018.

ADDRESSES: Submit comments electronically via the Commission’s Filing Online system at *http://www.prc.gov*. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT:

David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION: The April 16, 2018 comment due date applies to Docket Nos. MC2018–135 and CP2018–196; MC2018–136 and CP2018–197; MC2018–137 and CP2018–198; MC2018–138 and CP2018–199; MC2018–139 and CP2018–200.

The April 17, 2018 comment due date applies to Docket Nos. MC2018–140 and CP2018–201; MC2018–141 and CP2018–202.

Table of Contents

- I. Introduction
- II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request’s acceptance date, and the authority cited by the

Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.40.

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s)*.: MC2018–135 and CP2018–196; *Filing Title*: USPS Request to Add Priority Mail Express & First-Class Package Service Contract 3 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: April 5, 2018; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative*: Lawrence Fenster; *Comments Due*: April 16, 2018.

2. *Docket No(s)*.: MC2018–136 and CP2018–197; *Filing Title*: USPS Request to Add Priority Mail & First-Class Package Service Contract 77 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: April 5, 2018; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative*: Lawrence Fenster; *Comments Due*: April 16, 2018.

3. *Docket No(s)*.: MC2018–137 and CP2018–198; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & First-Class Package Service Contract 33 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: April 5, 2018; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative*: Lawrence Fenster; *Comments Due*: April 16, 2018.

4. *Docket No(s)*.: MC2018–138 and CP2018–199; *Filing Title*: USPS Request to Add Priority Mail Express & Priority Mail Contract 64 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: April 5, 2018; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative*: Christopher C. Mohr; *Comments Due*: April 16, 2018.

5. *Docket No(s)*.: MC2018–139 and CP2018–200; *Filing Title*: USPS Request to Add Priority Mail Contract 427 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: April 5, 2018; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative*: Christopher C. Mohr; *Comments Due*: April 16, 2018.

6. *Docket No(s)*.: MC2018–140 and CP2018–201; *Filing Title*: USPS Request to Add Priority Mail Contract 428 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: April 5, 2018; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative*: Christopher C. Mohr; *Comments Due*: April 17, 2018.

7. *Docket No(s)*.: MC2018–141 and CP2018–201; *Filing Title*: USPS Request to Add Priority Mail Contract 429 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date*: April 5, 2018; *Filing Authority*: 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative*: Christopher C. Mohr; *Comments Due*: April 17, 2018.

This Notice will be published in the **Federal Register**.

Stacy L. Ruble,
Secretary.

[FR Doc. 2018–07450 Filed 4–10–18; 8:45 am]

BILLING CODE 7710–FW–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.
ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.
DATES: *Date of required notice:* April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 6, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 430 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2018–142, CP2018–203.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.
[FR Doc. 2018–07460 Filed 4–10–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express and Priority Mail Negotiated

Service Agreement

AGENCY: Postal Service™.
ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.
DATES: *Date of required notice:* April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 5, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express & Priority Mail Contract 64 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2018–138, CP2018–199.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.
[FR Doc. 2018–07401 Filed 4–10–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.
ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 5, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 427 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2018–139, CP2018–200.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–07402 Filed 4–10–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 5, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 429 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2018–141, CP2018–202.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–07404 Filed 4–10–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express and First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to

the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 5, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express & First-Class Package Service Contract 3 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2018–135, CP2018–196.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–07398 Filed 4–10–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail and First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 5, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail & First-Class Package Service Contract 77 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2018–136, CP2018–197.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–07399 Filed 4–10–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Express, Priority Mail, & First-Class Package Service Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 5, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express, Priority Mail, & First-Class Package Service Contract 33 to Competitive Product List*. Documents are available at www.prc.gov, Docket Nos. MC2018–137, CP2018–198.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–07400 Filed 4–10–18; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

DATES: *Date of required notice:* April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Elizabeth Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on April 5, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 428 to Competitive Product List*. Documents

are available at www.prc.gov, Docket Nos. MC2018-140, CP2018-201.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018-07403 Filed 4-10-18; 8:45 am]

BILLING CODE 7710-12-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 33068; File No. 812-14601]

Application; Benefit Street Partners BDC, Inc., et al.

April 6, 2018.

AGENCY: Securities and Exchange Commission (“Commission”).

ACTION: Notice.

Notice of application for an order under sections 17(d) and 57(i) of the Investment Company Act of 1940 (the “Act”) and rule 17d-1 under the Act to permit certain joint transactions otherwise prohibited by sections 17(d) and 57(a)(4) of the Act and rule 17d-1 under the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain business development companies (“BDC”) and closed-end management investment companies to co-invest in portfolio companies with each other and with affiliated investment funds.

APPLICANTS: Benefit Street Partners BDC, Inc. (“BSP BDC”), Providence Flexible Credit Allocation Fund (“Providence Flexible Credit”), Business Development Corporation of America (“BDCA,” together with BSP BDC and Providence Flexible Credit, the “Existing Regulated Funds”), Providence TMT Debt Opportunity Fund II L.P. (“Fund II”), PECM Strategic Funding L.P. (“Strategic Funding”), SEI Energy Debt Fund, LP (“SEI Fund”), Providence Debt Fund III L.P. (“Fund III”), Providence Debt Fund III Master (Non-US) L.P. (“Fund III Offshore”), Benefit Street Partners Capital Opportunity Fund L.P. (“BSP Capital Fund”), Benefit Street Partners Capital Opportunity Fund II L.P. (“BSP Capital Fund II”), Benefit Street Partners SMA LM L.P. (“Benefit Street LM”), Benefit Street Partners SMA-C L.P. (“Benefit Street SMA-C”), Benefit Street Partners Senior Secured Opportunities Fund L.P. (“Benefit Street Senior Secured”), Benefit Street Partners Senior Secured Opportunities Master Fund (Non-US) L.P. (“Benefit Street Senior Secured Offshore”), Benefit Street Partners Senior Secured Opportunities (U) Fund (Non-US) L.P. (“Opportunities (U)

Fund”), Benefit Street Partners Senior Secured Opportunities (U) Master Fund (Non-US) L.P. (“Opportunities (U) Master Fund”), BSP Special Situations Master A L.P. (“BSP Master A”), BSP Special Situations Master B L.P. (“BSP Master B”), Benefit Street Partners Debt Fund IV L.P. (“Fund IV”), Benefit Street Partners Debt Fund IV Master (Non-US) L.P. (“Fund IV Offshore”), Benefit Street Partners SMA-T L.P. (“SMA-T” and each of Fund II, Strategic Funding, SEI Fund, Fund III, Fund III Offshore, BSP Capital Fund, BSP Capital Fund II, Benefit Street LM, Benefit Street SMA-C, Benefit Street Senior Secured, Benefit Street Senior Secured Offshore, Opportunities (U) Fund, Opportunities (U) Master Fund, BSP Master A, BSP Master B, Fund IV and Fund IV Offshore is referred to as an “Existing Affiliated Fund” and collectively, the “Existing Affiliated Funds”), Providence Equity Capital Markets L.L.C. (“Fund II Affiliated Adviser”), Benefit Street Partners L.L.C. (“BSP Adviser”), BDCA Adviser, LLC (“BDCA Adviser”), and SEI Investments Management Corporation (“SEI Adviser”).

FILING DATES: The application was filed on January 15, 2016, and amended on January 9, 2017, June 23, 2017, and December 13, 2017.

HEARING OR NOTIFICATION OF HEARING: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission’s Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on April 30, 2018, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to rule 0-5 under the Act, hearing requests should state the nature of the writer’s interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission’s Secretary.

ADDRESSES: Secretary, U.S. Securities and Exchange Commission, 100 F St. NE, Washington, DC 20549-1090. Applicants: BSP BDC, Providence Flexible Credit, BDCA, Fund II, Strategic Funding, Fund III, Fund III Offshore, BSP Capital Fund, BSP Capital Fund II, Benefit Street LM, Benefit Street SMA-C, Benefit Street Senior Secured, Benefit Street Senior Secured Offshore, Opportunities (U) Fund, Opportunities (U) Master Fund, BSP Master A, BSP Master B, Fund IV, Fund

IV Offshore, SMA-T, Fund II Affiliated Adviser, BSP Adviser, and BDCA Adviser, 9 West 57th Street, 49th Floor, New York, NY 10019; SEI Fund and SEI Adviser, One Freedom Valley Drive, Oaks, PA 19456.

FOR FURTHER INFORMATION CONTACT:

Christine Y. Greenlees, Senior Counsel, at (202) 551-6879 or Robert H. Shapiro, Branch Chief, at (202) 551-6821 (Chief Counsel’s Office, Division of Investment Management).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission’s website by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

Applicants’ Representations

1. BSP BDC is a Maryland corporation organized as a closed-end management investment company that intends to elect to be regulated as a BDC under section 54(a) of the Act.¹ BSP BDC’s Objectives and Strategies² are to generate both current income and capital appreciation by primarily investing in secured debt, unsecured debt, as well as related equity securities issued by private U.S. middle market companies. The board of directors (“Board”) of BSP BDC will be comprised of five directors, three of whom will be persons who are not “interested persons” of BSP BDC as defined in section 2(a)(19) of the Act (“Non-Interested Directors”).

2. Providence Flexible Credit is a Massachusetts business trust organized as closed-end investment company registered under the Act. Providence Flexible Credit’s Objectives and Strategies are to seek total return through a combination of current income and capital appreciation. Providence Flexible Credit will seek to achieve its investment objective by investing primarily in a portfolio of (i) secured loans made primarily to companies whose debt is below investment grade quality; (ii) corporate

¹ Section 2(a)(48) defines a BDC to be any closed-end investment company that operates for the purpose of making investments in securities described in sections 55(a)(1) through 55(a)(3) of the Act and makes available significant managerial assistance with respect to the issuers of such securities.

² “Objectives and Strategies” means a Regulated Fund’s investment objectives and strategies, as described in the Regulated Fund’s registration statement on Form N-2, other filings the Regulated Fund has made with the Commission under the Securities Act of 1933 (the “Securities Act”), or under the Securities Exchange Act of 1934, and the Regulated Fund’s reports to shareholders.

bonds that are expected to be primarily high yield issues of below investment grade quality; and (iii) debt investment opportunities in middle market companies in the United States that are of below investment grade quality. Providence Flexible Credit will have a Board with a majority of trustees that are Non-Interested Directors.

3. BDCA is a Maryland corporation organized as a closed-end management investment company that has elected to be regulated as a BDC under the Act. BDCA's Objectives and Strategies are to generate both current income and capital appreciation by primarily investing in senior secured loans and mezzanine debt issued by middle market companies. BDCA's Board consists of seven members, a majority of whom are Non-Interested Directors.

4. Each of the Affiliated Funds (defined below) would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act. Each Affiliated Fund has, or will have, investment objectives and strategies that are similar to or that overlap with the Regulated Funds' Objectives and Strategies.

5. Fund II Affiliated Adviser, BSP Adviser, and BDCA Adviser are each Delaware limited liability companies registered as investment advisers under the Investment Advisers Act of 1940 (the "Advisers Act"). Applicants state that the Providence Advisers (defined below) are controlled by their principal owners (the "Principals") and are thus affiliated persons of each other as described by section 2(a)(3)(C) of the Act. Fund II Affiliated Adviser serves as investment adviser to Fund II and Strategic Funding. BSP Adviser serves as investment adviser to BSP BDC, Providence Flexible Credit, Fund III, Fund III Offshore, BSP Capital Fund, BSP Capital Fund II, Benefit Street LM, Benefit Street SMA-C, Benefit Street Senior Secured, Benefit Street Senior Secured Offshore, Opportunities (U) Fund, Opportunities (U) Master Fund, BSP Master A, BSP Master B, Fund IV, Fund IV Offshore, and SMA-T. In addition, BSP Adviser serves as sub-adviser to SEI Fund, whose investment adviser, SEI Adviser, is not affiliated with BSP Adviser. BDCA Adviser serves as investment adviser to BDCA.

6. SEI Adviser is a Delaware corporation registered as an investment adviser under the Advisers Act. SEI Adviser serves as investment adviser to SEI Fund. As noted above, BSP Adviser serves as Sub-Adviser to SEI Fund. SEI Adviser is not an affiliated person of any Providence Adviser.

7. Applicants seek to supersede the Prior Order³ to permit one or more Regulated Funds⁴ and/or one or more Affiliated Funds⁵ to participate in the same investment opportunities through a proposed co-investment program (the "Co-Investment Program") where such participation would otherwise be prohibited under section 57(a)(4) and rule 17d-1 by (a) co-investing with each other in securities issued by issuers in private placement transactions in which an Adviser negotiates terms in addition to price;⁶ and (b) making additional investments in securities of such issuers, including through the exercise of warrants, conversion privileges, and other rights to purchase securities of the issuers ("Follow-On Investments"). "Co-Investment Transaction" means any transaction in which a Regulated Fund (or its Wholly-Owned Investment Sub, as defined below) participated together with one or more other Regulated Funds and/or one or more Affiliated Funds in reliance on the requested Order. "Potential Co-Investment Transaction" means any investment opportunity in which a Regulated Fund (or its Wholly-Owned Investment Sub) could not participate together with one or more Affiliated Funds and/or one or more

³ The requested order (the "Order") would supersede an exemptive order issued by the Commission on June 23, 2015 (the "Prior Order") that was granted pursuant to sections 57(a)(4) and 57(i) and rule 17d-1, with the result that no person will continue to rely on the Prior Order if the Order is granted. Benefit Street Partners BDC, Inc., et al., Investment Company Act Release Nos. 31651 (May 27, 2015) (notice) and 31686 (Jun. 23, 2015) (order).

⁴ "Regulated Fund" means any of the Existing Regulated Funds and any Future Regulated Fund. "Future Regulated Fund" means any closed-end management investment company (a) that is registered under the Act or has elected to be regulated as a BDC, (b) whose investment adviser is a Providence Adviser, and (c) that intends to participate in the Co-Investment Program. The term "Providence Adviser" means (a) BSP Adviser, (b) BDCA Adviser, (c) Fund II Affiliated Adviser, and (d) any future investment adviser, other than Providence Equity Partners L.L.C., that controls, is controlled by or is under common control with BSP Adviser, BDCA Adviser and Fund II Affiliated Adviser and is registered under the Advisers Act. The term "Adviser" means any Providence Adviser and SEI Adviser. Providence Equity Partners L.L.C. is excluded from the definition of Adviser because none of its clients will participate in any Co-Investment Transaction.

⁵ "Affiliated Fund" means (a) the Existing Affiliated Funds and (b) any Future Affiliated Fund. "Future Affiliated Fund" means any entity (a) whose investment adviser is a Providence Adviser, (b) that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act, and (c) that intends to participate in the Co-Investment Program.

⁶ The term "private placement transactions" means transactions in which the offer and sale of securities by the issuer are exempt from registration under the Securities Act.

other Regulated Funds without obtaining and relying on the Order.⁷

8. Applicants state that a Regulated Fund may, from time to time, form a Wholly-Owned Investment Sub.⁸ Such a subsidiary would be prohibited from investing in a Co-Investment Transaction with any Affiliated Fund or Regulated Fund because it would be a company controlled by its parent Regulated Fund for purposes of section 57(a)(4) and rule 17d-1. Applicants request that each Wholly-Owned Investment Sub be permitted to participate in Co-Investment Transactions in lieu of its parent Regulated Fund and that the Wholly-Owned Investment Sub's participation in any such transaction be treated, for purposes of the requested order, as though the parent Regulated Fund were participating directly. Applicants represent that this treatment is justified because a Wholly-Owned Investment Sub would have no purpose other than serving as a holding vehicle for the Regulated Fund's investments and, therefore, no conflicts of interest could arise between the Regulated Fund and the Wholly-Owned Investment Sub. The Regulated Fund's Board would make all relevant determinations under the conditions with regard to a Wholly-Owned Investment Sub's participation in a Co-Investment Transaction, and the Regulated Fund's Board would be informed of, and take into consideration, any proposed use of a Wholly-Owned Investment Sub in the Regulated Fund's place. If the Regulated Fund proposes to participate in the same Co-Investment Transaction with any of its Wholly-Owned Investment Subs, the Board will also be informed of, and take into consideration, the relative participation of the Regulated Fund and the Wholly-Owned Investment Sub.

9. When considering Potential Co-Investment Transactions for any Regulated Fund, the Adviser (or Advisers if there are more than one) will consider only the Objectives and

⁷ All existing entities that currently intend to rely upon the requested Order have been named as applicants. Any other existing or future entity that subsequently relies on the Order will comply with the terms and conditions of the application.

⁸ The term "Wholly-Owned Investment Sub" means an entity (i) that is wholly-owned by a Regulated Fund (with the Regulated Fund at all times holding, beneficially and of record, 100% of the voting and economic interests); (ii) whose sole business purpose is to hold one or more investments on behalf of the Regulated Fund; (iii) with respect to which the Regulated Fund's Board has the sole authority to make all determinations with respect to the entity's participation under the conditions of the application; and (iv) that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act.

Strategies, investment policies, investment positions, capital available for investment (“Available Capital”), and other pertinent factors applicable to that Regulated Fund. The Advisers expect that any portfolio company that is an appropriate investment for a Regulated Fund should also be an appropriate investment for one or more other Regulated Funds and/or one or more Affiliated Funds, with certain exceptions based on Available Capital or diversification. The Regulated Funds, however, will not be obligated to invest, or co-invest, when investment opportunities are referred to them.

10. Applicants state that SEI Adviser serves as investment adviser to SEI Fund, while BSP Adviser serves as sub-adviser. Applicants represent that SEI Adviser is responsible for the overall management of SEI Fund’s activities, and BSP Adviser is responsible for the day-to-day management of SEI Fund’s investment portfolio. Applicants represent that although BSP Adviser identifies and recommends investments for SEI Fund, SEI Adviser has ultimate authority with respect to SEI Fund’s investments.

11. Applicants represent that each Providence Adviser has adopted allocation policies and procedures which are designed to allocate investment opportunities fairly and equitably among their clients over time. Applicants state that in the case of a Potential Co-Investment Transaction, the applicable Providence Adviser applies its allocation policies and procedures in determining the proposed allocation for the applicable Regulated Fund consistent with the requirements of condition 2(a). Applicants state that, as a result, all Potential Co-Investment Transactions that are presented to any Providence Adviser would also be presented to each Providence Adviser advising or sub-advising a Regulated Fund, which, as required by condition 1, would make an independent determination of the appropriateness of the investments for such Regulated Fund.

12. Other than pro rata dispositions and Follow-On Investments as provided in conditions 7 and 8, and after making the determinations required in conditions 1 and 2(a), the applicable Adviser(s) will present each Potential Co-Investment Transaction and the proposed allocation to the directors of the Board eligible to vote under section 57(o) of the Act (“Eligible Directors”), and the “required majority,” as defined in section 57(o) of the Act (“Required

Majority”) ⁹ will approve each Co-Investment Transaction prior to any investment by the participating Regulated Fund.

13. With respect to the pro rata dispositions and Follow-On Investments provided in conditions 7 and 8, a Regulated Fund may participate in a pro rata disposition or Follow-On Investment without obtaining prior approval of the Required Majority if, among other things: (i) The proposed participation of each Regulated Fund and Affiliated Fund in such disposition is proportionate to its outstanding investments in the issuer immediately preceding the disposition or Follow-On Investment, as the case may be; and (ii) the Board of the Regulated Fund has approved that Regulated Fund’s participation in pro rata dispositions and Follow-On Investments as being in the best interests of the Regulated Fund. If the Board does not so approve, any such disposition or Follow-On Investment will be submitted to the Regulated Fund’s Eligible Directors. The Board of any Regulated Fund may at any time rescind, suspend or qualify its approval of pro rata dispositions and Follow-On Investments with the result that all dispositions and/or Follow-On Investments must be submitted to the Eligible Directors.

14. No Non-Interested Director of a Regulated Fund will have a financial interest in any Co-Investment Transaction, other than indirectly through share ownership in one of the Regulated Funds.

15. Under condition 15, if the Providence Advisers, the Principals, or any person controlling, controlled by, or under common control with the Providence Advisers or the Principals, and the Affiliated Funds (collectively, the “Holders”) own in the aggregate more than 25% of the outstanding voting securities of a Regulated Fund (“Shares”), then the Holders will vote such Shares as directed by an independent third party when voting on matters specified in the condition. Applicants believe that this condition will ensure that the Non-Interested Directors will act independently in evaluating the Co-Investment Program, because the ability of the Providence Advisers or the Principals to influence the Independent Directors by a suggestion, explicit or implied, that the Non-Interested Directors can be removed will be limited significantly. Applicants represent that the Non-

⁹ In the case of a Regulated Fund that is a registered closed-end fund, the Board members that make up the Required Majority will be determined as if the Regulated Fund were a BDC subject to section 57(o).

Interested Directors will evaluate and approve any such independent party, taking into account its qualifications, reputation for independence, cost to the shareholders, and other factors that they deem relevant.

Applicants’ Legal Analysis

1. Section 17(d) of the Act and rule 17d-1 under the Act prohibit participation by a registered investment company and an affiliated person in any “joint enterprise or other joint arrangement or profit-sharing plan,” as defined in the rule, without prior approval by the Commission by order upon application. Section 17(d) of the Act and rule 17d-1 under the Act are applicable to Regulated Funds that are registered closed-end investment companies. Similarly, with regard to BDCs, section 57(a)(4) of the Act generally prohibits certain persons specified in section 57(b) from participating in joint transactions with the BDC or a company controlled by the BDC in contravention of rules as prescribed by the Commission. Section 57(i) of the Act provides that, until the Commission prescribes rules under section 57(a)(4), the Commission’s rules under section 17(d) of the Act applicable to registered closed-end investment companies will be deemed to apply to transactions subject to section 57(a)(4). Because the Commission has not adopted any rules under section 57(a)(4), rule 17d-1 also applies to joint transactions with Regulated Funds that are BDCs.

2. In passing upon applications under rule 17d-1, the Commission considers whether the company’s participation in the joint transaction is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

3. Applicants submit that each of the other Regulated Funds and the Affiliated Funds may be deemed to be affiliated persons of a Regulated Fund within the meaning of section 2(a)(3)(C) of the Act by reason of common control because (i) a Providence Adviser may be deemed to control each of the Existing Regulated Funds and the Existing Affiliated Funds, (ii) a Providence Adviser may be deemed to control any Future Regulated Funds or Future Affiliated Funds, (iii) the Providence Advisers are owned and controlled by the Principals and (iv) a Providence Adviser sub-advises SEI Fund and, therefore, SEI Fund may be deemed to be under common control with the Existing Regulated Funds. As a result, a Regulated Fund and one or more other

Regulated Funds and/or one or more Affiliated Funds would be prohibited from participating in Co-Investment Transactions by sections 17(d) or 57(a)(4) of the Act, and rule 17d-1 of the Act.

4. Applicants state that in the absence of the requested relief, in some circumstances the Regulated Funds would be limited in their ability to participate in attractive and appropriate investment opportunities. Applicants believe that the proposed terms and conditions of the application will ensure that the Co-Investment Transactions are consistent with the protection of each Regulated Fund's shareholders and with the purposes intended by the policies and provisions of the Act. Applicants state that the Regulated Funds' participation in the Co-Investment Transactions will be consistent with the provisions, policies, and purposes of the Act and would be done in a manner that is not different from, or less advantageous than, that of other participants.

Applicants' Conditions

Applicants agree that the Order will be subject to the following conditions:

1. Each time a Providence Adviser considers a Potential Co-Investment Transaction for an Affiliated Fund or another Regulated Fund that falls within a Regulated Fund's then-current Objectives and Strategies, each Adviser to the Regulated Fund will make an independent determination of the appropriateness of the investment for such Regulated Fund in light of the Regulated Fund's then-current circumstances.

2. (a) If each Adviser to a Regulated Fund deems the participation in any Potential Co-Investment Transaction to be appropriate for the Regulated Fund, the Adviser (or Advisers if there are more than one) will then determine an appropriate level of investment for the Regulated Fund.

(b) If the aggregate amount recommended by the Adviser (or Advisers if there are more than one) to a Regulated Fund to be invested by the Regulated Fund in the Potential Co-Investment Transaction, together with the amount proposed to be invested by the other participating Regulated Funds and Affiliated Funds, collectively, in the same transaction, exceeds the amount of the investment opportunity, the investment opportunity will be allocated among them pro rata based on each participant's Available Capital, up to the amount proposed to be invested by each. The Adviser (or Advisers if there are more than one) to each participating Regulated Fund will

provide the Eligible Directors of each participating Regulated Fund with information concerning each participating party's Available Capital to assist the Eligible Directors with their review of the Regulated Fund's investments for compliance with these allocation procedures.

(c) After making the determinations required in conditions 1 and 2(a), the Adviser to the Regulated Fund (or Advisers if there are more than one) will distribute written information concerning the Potential Co-Investment Transaction (including the amount proposed to be invested by each participating Regulated Fund and Affiliated Fund) to the Eligible Directors of each participating Regulated Fund for their consideration. A Regulated Fund will co-invest with one or more other Regulated Funds and/or one or more Affiliated Funds only if, prior to the Regulated Fund's participation in the Potential Co-Investment Transaction, a Required Majority concludes that:

(i) The terms of the Potential Co-Investment Transaction, including the consideration to be paid, are reasonable and fair to the Regulated Fund and its shareholders and do not involve overreaching in respect of the Regulated Fund or its shareholders on the part of any person concerned;

(ii) the Potential Co-Investment Transaction is consistent with:

(A) The interests of the shareholders of the Regulated Fund; and

(B) the Regulated Fund's then-current Objectives and Strategies;

(iii) the investment by any other Regulated Funds or any Affiliated Funds would not disadvantage the Regulated Fund, and participation by the Regulated Fund would not be on a basis different from or less advantageous than that of other Regulated Funds or Affiliated Funds; provided that, if any other Regulated Fund or Affiliated Fund, but not the Regulated Fund itself, gains the right to nominate a director for election to a portfolio company's board of directors or the right to have a board observer or any similar right to participate in the governance or management of the portfolio company, such event shall not be interpreted to prohibit the Required Majority from reaching the conclusions required by this condition (2)(c)(iii), if:

(A) The Eligible Directors will have the right to ratify the selection of such director or board observer, if any;

(B) the Adviser to the Regulated Fund (or Advisers if there are more than one) agrees to, and does, provide periodic reports to the Regulated Fund's Board with respect to the actions of such director or the information received by

such board observer or obtained through the exercise of any similar right to participate in the governance or management of the portfolio company; and

(C) any fees or other compensation that any Affiliated Fund or any Regulated Fund or any affiliated person of any Affiliated Fund or Regulated Fund receives in connection with the right of an Affiliated Fund or a Regulated Fund to nominate a director or appoint a board observer or otherwise to participate in the governance or management of the portfolio company will be shared proportionately among the participating Affiliated Funds (who each may, in turn, share its portion with its affiliated persons) and the participating Regulated Funds in accordance with the amount of each party's investment; and

(iv) the proposed investment by the Regulated Fund will not benefit the Advisers, the Affiliated Funds or the other Regulated Funds or any affiliated person of any of them (other than the parties to the Co-Investment Transaction), except (A) to the extent permitted by condition 13, (B) to the extent permitted by section 17(e) or 57(k) of the Act, as applicable, (C) indirectly, as a result of an interest in the securities issued by one of the parties to the Co-Investment Transaction, or (D) in the case of fees or other compensation described in condition 2(c)(iii)(C).

3. Each Regulated Fund has the right to decline to participate in any Potential Co-Investment Transaction or to invest less than the amount proposed.

4. The Adviser to the Regulated Fund (or Advisers if there are more than one) will present to the Board of each Regulated Fund, on a quarterly basis, a record of all investments in Potential Co-Investment Transactions made by any of the other Regulated Funds or Affiliated Funds during the preceding quarter that fell within the Regulated Fund's then-current Objectives and Strategies that were not made available to the Regulated Fund, and an explanation of why the investment opportunities were not offered to the Regulated Fund. All information presented to the Board pursuant to this condition will be kept for the life of the Regulated Fund and at least two years thereafter, and will be subject to examination by the Commission and its staff.

5. Except for Follow-On Investments made in accordance with condition 8,¹⁰

¹⁰This exception applies only to Follow-On Investments by a Regulated Fund in issuers in

a Regulated Fund will not invest in reliance on the Order in any issuer in which another Regulated Fund, Affiliated Fund, or any affiliated person of another Regulated Fund or Affiliated Fund is an existing investor.

6. A Regulated Fund will not participate in any Potential Co-Investment Transaction unless the terms, conditions, price, class of securities to be purchased, settlement date, and registration rights will be the same for each participating Regulated Fund and Affiliated Fund. The grant to an Affiliated Fund or another Regulated Fund, but not the Regulated Fund, of the right to nominate a director for election to a portfolio company's board of directors, the right to have an observer on the board of directors or similar rights to participate in the governance or management of the portfolio company will not be interpreted so as to violate this condition 6, if conditions 2(c)(iii)(A), (B) and (C) are met.

7. (a) If any Affiliated Fund or any Regulated Fund elects to sell, exchange or otherwise dispose of an interest in a security that was acquired in a Co-Investment Transaction, the applicable Providence Adviser will:

(i) Notify each Regulated Fund that participated in the Co-Investment Transaction of the proposed disposition at the earliest practical time; and

(ii) formulate a recommendation as to participation by each Regulated Fund in the disposition.

(b) Each Regulated Fund will have the right to participate in such disposition on a proportionate basis, at the same price and on the same terms and conditions as those applicable to the participating Affiliated Funds and Regulated Funds.

(c) A Regulated Fund may participate in such disposition without obtaining prior approval of the Required Majority if: (i) The proposed participation of each Regulated Fund and each Affiliated Fund in such disposition is proportionate to its outstanding investments in the issuer immediately preceding the disposition; (ii) the Board of the Regulated Fund has approved as being in the best interests of the Regulated Fund the ability to participate in such dispositions on a pro rata basis (as described in greater detail in the application); and (iii) the Board of the Regulated Fund is provided on a quarterly basis with a list of all dispositions made in accordance with this condition. In all other cases, the Adviser to the Regulated Fund (or

which that Regulated Fund already holds investments.

Advisers if there are more than one) will provide its written recommendation as to the Regulated Fund's participation to the Eligible Directors, and the Regulated Fund will participate in such disposition solely to the extent that a Required Majority determines that it is in the Regulated Fund's best interests.

(d) Each Affiliated Fund and each Regulated Fund will bear its own expenses in connection with any such disposition.

8. (a) If any Affiliated Fund or any Regulated Fund desires to make a Follow-On Investment in a portfolio company whose securities were acquired in a Co-Investment Transaction, the applicable Providence Adviser will:

(i) Notify each Regulated Fund that participated in the Co-Investment Transaction of the proposed transaction at the earliest practical time; and

(ii) formulate a recommendation as to the proposed participation, including the amount of the proposed Follow-On Investment, by each Regulated Fund.

(b) A Regulated Fund may participate in such Follow-On Investment without obtaining prior approval of the Required Majority if: (i) The proposed participation of each Regulated Fund and each Affiliated Fund in such investment is proportionate to its outstanding investments in the issuer immediately preceding the Follow-On Investment; and (ii) the Board of the Regulated Fund has approved as being in the best interests of the Regulated Fund the ability to participate in Follow-On Investments on a pro rata basis (as described in greater detail in the application). In all other cases, the Adviser to the Regulated Fund (or Advisers if there are more than one) will provide its written recommendation as to the Regulated Fund's participation to the Eligible Directors, and the Regulated Fund will participate in such Follow-On Investment solely to the extent that a Required Majority determines that it is in the Regulated Fund's best interests.

(c) If, with respect to any Follow-On Investment:

(i) The amount of the opportunity is not based on the Affiliated Funds' and the Regulated Funds' outstanding investments immediately preceding the Follow-On Investment; and

(ii) the aggregate amount recommended by the Adviser(s) to be invested by each Regulated Fund in the Follow-On Investment, together with the amount proposed to be invested by the participating Affiliated Funds in the same transaction, exceeds the amount of the opportunity; then the amount invested by each such party will be allocated among them pro rata based on

each participant's Available Capital, up to the amount proposed to be invested by each.

(d) The acquisition of Follow-On Investments as permitted by this condition will be considered a Co-Investment Transaction for all purposes and subject to the other conditions set forth in the application.

9. The Non-Interested Directors of each Regulated Fund will be provided quarterly for review all information concerning Potential Co-Investment Transactions and Co-Investment Transactions, including investments made by other Regulated Funds or Affiliated Funds that the Regulated Fund considered but declined to participate in, so that the Non-Interested Directors may determine whether all investments made during the preceding quarter, including those investments that the Regulated Fund considered but declined to participate in, comply with the conditions of the Order. In addition, the Non-Interested Directors will consider at least annually the continued appropriateness for the Regulated Fund of participating in new and existing Co-Investment Transactions.

10. Each Regulated Fund will maintain the records required by section 57(f)(3) of the Act as if each of the Regulated Funds were a BDC and each of the investments permitted under these conditions were approved by the Required Majority under section 57(f) of the Act.

11. No Non-Interested Director of a Regulated Fund will also be a director, general partner, managing member or principal, or otherwise an "affiliated person" (as defined in the Act) of an Affiliated Fund.

12. The expenses, if any, associated with acquiring, holding or disposing of any securities acquired in a Co-Investment Transaction (including, without limitation, the expenses of the distribution of any such securities registered for sale under the Securities Act) will, to the extent not payable by the Advisers under their respective investment advisory agreements with the Affiliated Funds and the Regulated Funds, be shared by the Regulated Funds and the Affiliated Funds in proportion to the relative amounts of the securities held or to be acquired or disposed of, as the case may be.

13. Any transaction fee ¹¹ (including break-up or commitment fees but excluding broker's fees contemplated by section 17(e) or 57(k) of the Act, as

¹¹ Applicants are not requesting and the staff of the Commission is not providing any relief for transaction fees received in connection with any Co-Investment Transaction.

applicable), received in connection with a Co-Investment Transaction will be distributed to the participating Regulated Funds and Affiliated Funds on a pro rata basis based on the amounts they invested or committed, as the case may be, in such Co-Investment Transaction. If any transaction fee is to be held by an Adviser pending consummation of the transaction, the fee will be deposited into an account maintained by such Adviser at a bank or banks having the qualifications prescribed in section 26(a)(1) of the Act, and the account will earn a competitive rate of interest that will also be divided pro rata among the participating Regulated Funds and Affiliated Funds based on the amounts they invest in such Co-Investment Transaction. None of the Affiliated Funds, the Advisers, the other Regulated Funds or any affiliated person of the Regulated Funds or Affiliated Funds will receive additional compensation or remuneration of any kind as a result of or in connection with a Co-Investment Transaction (other than (a) in the case of the Regulated Funds and Affiliated Funds, the pro rata transaction fees described above and fees or other compensation described in condition 2(c)(iii)(C), and (b) in the case of an Adviser, investment advisory fees paid in accordance with the agreement between the Adviser and the Regulated Fund or Affiliated Fund).

14. If the Holders own in the aggregate more than 25% of the Shares of a Regulated Fund, then the Holders will vote such Shares as directed by an independent third party when voting on (1) the election of directors; (2) the removal of one or more directors; or (3) any other matter under either the Act or applicable State law affecting the Board's composition, size or manner of election.

15. Each Regulated Fund's chief compliance officer, as defined in rule 38a-1(a)(4), will prepare an annual report for its Board that evaluates (and documents the basis of that evaluation) the Regulated Fund's compliance with the terms and conditions of the application and the procedures established to achieve such compliance.

For the Commission, by the Division of Investment Management, under delegated authority.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018-07430 Filed 4-10-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-83001; File No. SR-ISE-2018-29]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to the Delay of Complex Order Quoting Functionality

April 5, 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 March 28, 2018, Nasdaq ISE, LLC ("ISE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to extend the delay for re-introduction of functionality which permits Market Makers to enter quotes in certain symbols for complex strategies on the complex order book in their appointed options classes by an additional one year.

The text of the proposed rule change is available on the Exchange's website at <http://ise.cchwallstreet.com/>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the 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.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to extend the delay for re-introduction of functionality which permits Market Makers to enter quotes in certain symbols for complex strategies on the complex order book in their appointed options classes by an additional one year. The Exchange filed a rule change to designate that a symbol would not be eligible for Market Maker quotes in the complex order book after the symbol migrated to the INET³ platform ("May 2017 Rule Change").⁴ In conjunction with the May 2017 Rule Change, the Exchange issued an Options Trader Alert notifying Members that complex order quoting functionality would no longer be available.⁵ The rule change provided that within a year from the date of filing the May 2017 Rule Change, the Exchange would offer complex quoting functionality on the ISE INET platform.⁶

By way of background, prior to the delay in re-introducing the quoting functionality, ISE's rules permitted Market Makers to enter quotes in certain symbols for complex strategies on the complex order book in their appointed options classes. Market Maker quotes for complex strategies were not automatically executed against bids and offers on the Exchange for the individual legs nor marked for price improvement.⁷ Market Makers were not required to enter quotes on ISE's complex order book. Quotes for complex orders were not subject to any quotation requirements that are applicable to Market Maker quotes in the regular market for individual options series or classes, nor was any volume executed in complex orders taken into consideration when determining whether Market Makers met quotation obligations applicable to Market Maker quotes in the regular market for individual options series.

³ INET is the proprietary core technology utilized across Nasdaq's global markets and utilized on The Nasdaq Options Market LLC ("NOM"), Nasdaq PHLX LLC ("Phlx") and Nasdaq BX, Inc. ("BX") (collectively, "Nasdaq Exchanges"). The migration of ISE to the Nasdaq INET architecture has resulted in higher performance, scalability, and more robust architecture.

⁴ See Securities Exchange Act Release No. 80613 (May 5, 2017), 82 FR 22022 (May 11, 2017) (SR-ISE-2017-37).

⁵ Even though the complex quoting functionality would not be available, Market Makers would still be able to submit complex orders.

⁶ See note 4 above.

⁷ See Supplementary Material .03 to Rule 722.

When the Exchange initially delayed this functionality which permitted Market Makers to enter quotes in certain symbols for complex strategies on the complex order book in their appointed options classes, the Exchange noted that it would re-introduce the functionality within one year from the date of that filing. The Exchange filed the initial rule change on April 26, 2017, with a one year delay, and the additional one year delay would extend the implementation timeframe for this functionality to April 26, 2019. The extended delay would provide the Exchange additional time to develop and test this functionality on INET. The Exchange will issue an Options Trader Alert notifying Members when this functionality would be available. Furthermore, in connection with this change, the Exchange also proposes to amend Supplementary Material .03 to Rule 722 to remove language about the migration of symbols to INET as this migration has been completed and all symbols listed by the Exchange are currently trading on the INET platform.

The Exchange is also proposing to amend a typographical error to correct a misspelled word in the current Rule text at Supplementary Material .03 to Rule 722.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,⁸ in general, and furthers the objectives of Section 6(b)(5) of the Act,⁹ in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest because the Exchange desires to rollout the complex order quoting functionality at a later date to allow additional time to rebuild this technology on the new platform. Although the Exchange is now fully operating on the Nasdaq INET platform, additional time is necessary to re-implement this functionality.

Delaying the reintroduction of the quoting functionality will provide additional time to test and implement this functionality. Today, symbols trade in price/time. Within a year from the date of filing this rule change, the Exchange will offer complex quoting functionality. Thereafter, the Exchange may offer the complex quoting for specified symbols from time to time with notice to members. At the time the Exchange designates a symbol as

available for complex quoting, it would also designate the allocation methodology for that symbol pursuant to ISE Rule 722(b)(3)(i).

Even though the complex quoting functionality will not be available, Market Makers will still be able to submit complex orders. The Exchange has not experienced any significant impact with respect to execution quality. The Exchange notes that Phlx does not offer complex order quoting functionality.¹⁰

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 not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposed rule change will impact the intense competition that exists in the options market. The Exchange does not believe that the proposed delay will impose any significant burden on inter-market competition as it does not impact the ability of other markets to offer or not offer competing functionality. Members will be able to continue to submit complex orders on ISE. The Exchange does not believe that the proposed rule change will impose any burden on intra-market competition because all members uniformly will not be able to submit Market Maker quotes in the complex order book.

Within a year from the date of filing this rule change, the Exchange will offer complex quoting functionality. Thereafter, the Exchange may offer complex quoting for specified symbols from time to time with notice to members. At the time the Exchange designates a symbol as available for complex quoting, it will also designate the allocation methodology for that symbol pursuant to ISE Rule 722(b)(3)(i).

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) 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)(iii) of the Act¹¹ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹²

A proposed rule change filed under Rule 19b-4(f)(6) normally does not become operative for 30 days after the date of the filing. However, Rule 19b-4(f)(6)(iii)¹³ permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. In its filing, ISE requests that the Commission waive the 30-day operative delay to allow the proposed one-year extension of the time for re-introducing the complex quoting functionality to begin at the conclusion of the current delay period, which is scheduled to end on April 26, 2018. As noted above, ISE states that extending the delay for re-introducing the complex quoting functionality will provide ISE with additional time to develop and test this functionality. ISE further states that it has not experienced any significant impact with respect to execution quality due to the delayed implementation of the complex quoting functionality. The Commission believes that waiving the operative delay is consistent with the protection of investors and the public interest because it will provide ISE with additional time to develop and test the complex quoting functionality. Accordingly, the Commission waives the 30-day operative delay and designates the proposed rule change operative upon filing.¹⁴

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

¹¹ 15 U.S.C. 78s(b)(3)(A)(iii).

¹² 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.

¹³ 17 CFR 240.19b-4(f)(6)(iii).

¹⁴ For purposes only of waiving the 30-day operative delay, the Commission has also considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

⁸ 15 U.S.C. 78f(b).

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ See Phlx Rule 1098.

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-ISE-2018-29 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-ISE-2018-29. 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-ISE-2018-29, and should be submitted on or before May 2, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-07407 Filed 4-10-18; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-83002; File No. SR-ISE-2018-27]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify the Rebates Provided to Members That Send Unsolicited Crossing Orders to the Exchange

April 5, 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 March 23, 2018, Nasdaq ISE, LLC ("ISE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Exchange's Schedule of Fees to modify the rebates it provides to Members that send unsolicited Crossing Orders³ to the Exchange.

The text of the proposed rule change is available on the Exchange's website at <http://ise.cchwallstreet.com/>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements

¹⁵ 17 CFR 200.30-3(a)(12) and (59).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ A "Crossing Order" is an order executed in the Exchange's Facilitation Mechanism, Solicited Order Mechanism, Price Improvement Mechanism ("PIM") or submitted as a Qualified Contingent Cross ("QCC") order. For purposes of this Fee Schedule, orders executed in the Block Order Mechanism are also considered Crossing Orders. See Preface to ISE's Schedule of Fees.

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 the proposed rule change is to amend ISE's Schedule of Fees to replace the current Member Order Routing Program ("MORP"), which provides enhanced rebates to order routing firms that select the Exchange as the default routing destination for unsolicited Crossing Orders, and the Customer to Customer Rebate PLUS program,⁴ which provides an indirect incentive for Members to direct unsolicited Crossing Orders to the Exchange, with a new rebate program, entitled the "PIM and Facilitation Rebate" program. Through this new program, the Exchange aims to provide a more accessible, direct, and effective incentive to Members to direct their unsolicited Crossing Orders to the Exchange.

MORP

As noted above, the MORP is a program that provides rebates to firms that select the Exchange as their default routing destination for unsolicited Crossing Orders. To be eligible to participate in MORP, an Electronic Access Member ("EAM") must: (1) Designate to the Exchange, in writing, those sessions (connections to the Exchange over which the firm submits orders) that meet the following MORP criteria; (2) provide systems to its clients that enable the electronic routing of option orders to all of the U.S. options exchanges, including ISE; (3) interface with ISE to access the Exchange's electronic options trading platform; (4) offer to its clients a customized interface and routing functionality such that ISE will be the default destination for all unsolicited Crossing Orders entered by the EAM, provided that market conditions allow the Crossing Order to be executed on ISE; (5) configure its own option order routing functionality such that ISE will be the default destination for all unsolicited Crossing Orders, provided that market conditions

⁴ See Section IV, A of the Schedule of Fees.

allow the Crossing Order to be executed on ISE, with respect to all option orders as to which the EAM has routing discretion; and (6) ensure that the default routing functionality permits users submitting option orders through such system to manually override the ISE as the default destination on an order-by-order basis. EAMs that wish to participate in the program must certify that they meet the foregoing MORP requirements, in writing, on a monthly basis.

An EAM that is MORP-eligible currently receives a rebate for all unsolicited Crossing Orders of \$0.05 per originating contract side, provided that the Member executes a minimum average daily volume ("ADV") in unsolicited Crossing Orders of at least 30,000 originating contract sides. This rebate increases to \$0.07 per originating contract side, provided that the Member executes a higher ADV in unsolicited Crossing Orders of 100,000 originating contract sides. The rebate for the highest tier achieved is applied retroactively to all eligible contracts traded in a given month.

In addition, any EAM that qualifies for the MORP rebate by executing an ADV of 30,000 originating contract sides or more is also eligible for increased Facilitation and Solicitation break-up rebates⁵ for their Non-ISE Market Maker,⁶ Firm Proprietary,⁷ Broker-Dealer,⁸ Professional Customer,⁹ and Priority Customer orders.¹⁰ Currently, MORP eligible members that execute a qualifying ADV in unsolicited Crossing Orders of at least 30,000 originating contract sides, receive a Facilitation and Solicitation break-up rebate that is \$0.35 per contract for regular and complex

orders in Select Symbols,¹¹ \$0.15 per contract for regular orders in Non-Select Symbols,¹² \$0.80 per contract for complex orders in Non-Select Symbols, and \$0.15 per contract for regular and complex orders in foreign exchange option classes.

The MORP program was designed to encourage order routing firms to execute additional unsolicited Crossing Order volume on the ISE. However, the Exchange has concluded that the MORP program has not fulfilled its intended purpose due, in large part, to the fact that the conditions for participation in the program have proven to be onerous. Accordingly, the Exchange proposes to eliminate the MORP program and, as discussed below, the Exchange proposes to replace it with the proposed PIM and Facilitation Rebate program, described below.

Customer to Customer Rebate PLUS

As part of the QCC and Solicitation Rebate program, the Exchange presently offers a set of rebates called "Customer to Customer" Rebate PLUS.¹³ These rebates apply to "Customer to Customer" Orders¹⁴ and in particular, those executed by two Priority Customers with: (1) A specified volume of QCC¹⁵ and other solicited Crossing Orders in a given month; and (2) 175,000 or more unsolicited originating Facilitation¹⁶ contract sides per month. Once a Member meets the volume thresholds described above, the Member receives \$0.05 per contract "Customer to Customer" Rebate PLUS for each originating contract side of their "Customer to Customer" Orders.

As a means of consolidating its incentive programs relating to unsolicited Crossing orders, and to provide more direct incentives to encourage such orders, the Exchange proposes to eliminate the Customer to Customer Rebate PLUS program and

replace it with the proposed PIM and Facilitation Rebate, described below.

PIM and Facilitation Rebate

In lieu of the MORP and the Customer to Customer Rebate PLUS program, the Exchange proposes to incentivize the flow of unsolicited Crossing Orders to the Exchange by establishing a PIM and Facilitation Rebate program. This proposed program would offer rebates to Members that use the Facilitation Mechanism or PIM for unsolicited Crossing Orders whereby the contra-side of those orders: (1) Is either Firm Proprietary or Broker-Dealer; and (2) has total affiliated ADV¹⁷ of 250,000 or more contracts. Members whose orders meet these conditions will be entitled to receive a rebate of \$0.02 per originating contract for up to 199,999 originating contract sides in a month. To the extent that Members have at least 200,000 originating contract sides in a given month, then the Members will be entitled to receive a rebate of \$0.03 for all of its originating contract sides in that month that qualify for the PIM and Facilitation Rebate Program during that month, including the Members' first qualifying 199,999 originating contract sides.

To the extent that Members qualify for the foregoing rebate, they may also become eligible for two additional rebates on the originating contract sides of their unsolicited Crossing Orders. First, if Members separately achieve, on a cumulative basis, more than 1,000,000 QCC and Solicitation Order Mechanism¹⁸ originating contracts sides in a month, then they will earn an additional \$0.01 rebate per originating contract side. Second, if Members achieve Priority Customer Complex ADV of between 100,000–224,999 contracts, then they will earn an additional \$0.01 rebate per originating contract side on their unsolicited Crossing Orders that qualify for the PIM and Facilitation Rebate program. This second additional rebate will be \$0.02 to the extent that Members achieve Priority Customer Complex ADV Orders of 225,000 contracts or more. For avoidance of doubt, if a Member has 200,000 originating contract sides in a month that qualify for a \$0.03 rebate under the PIM and Facilitation Rebate

¹⁷ Eligible volume from affiliated Members will be aggregated in determining total affiliated ADV, provided there is at least 75% common ownership between the Members as reflected on each Member's Form BD, Schedule A.

¹⁸ The Solicited Order Mechanism is a process by which an EAM can attempt to execute orders of 500 or more contracts it represents as agent against contra orders that it solicited. Each order entered into the Solicited Order Mechanism shall be designated as all-or-none. See ISE Rule 716(e).

⁵ Break-up rebates are provided for contracts that are submitted to the Facilitation and Solicited Order Mechanisms that do not trade with their contra order except when those contracts trade against pre-existing orders and quotes on the Exchange's orderbooks. The applicable fee for Crossing Orders is applied to any contracts for which a rebate is provided.

⁶ A "Non-ISE Market Maker" is a market maker as defined in Section 3(a)(38) of the Securities Exchange Act of 1934, as amended, registered in the same options class on another options exchange.

⁷ A "Firm Proprietary" order is an order submitted by a member for its own proprietary account.

⁸ A "Broker-Dealer" order is an order submitted by a member for a broker-dealer account that is not its own proprietary account.

⁹ A "Professional Customer" is a person or entity that is not a broker/dealer and is not a Priority Customer.

¹⁰ A "Priority Customer" is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in ISE Rule 100(a)(37A).

¹¹ "Select Symbols" are options overlying all symbols listed on the ISE that are in the Penny Pilot Program.

¹² "Non-Select Symbols" are options overlying all symbols excluding Select Symbols.

¹³ See Section IV, A of the Schedule of Fees.

¹⁴ A "Customer to Customer" order is a QCC or other solicited order between two Priority Customers.

¹⁵ A QCC Order is comprised of an originating order to buy or sell at least 1000 contracts that is identified as being part of a qualified contingent trade, as that term is defined in Supplementary Material .01 below, coupled with a contra-side order or orders totaling an equal number of contracts. See ISE Rule 715(j).

¹⁶ The Facilitation Mechanism is a process by which an EAM can execute a transaction wherein the EAM seeks to facilitate a block-size order it represents as agent, and/or a transaction wherein the EAM solicited interest to execute against a block-size order it represents as agent. See Rule 716(d).

program and the Member also achieves Priority Customer Complex Order ADV of 225,000 contracts in that same month, then the Member will receive an additional \$0.02 rebate on all of its 200,000 originating contract sides that qualify for the PIM and Facilitation Rebate program, for a total rebate on such originating contract sides of \$0.05. These two additional rebate opportunities will be cumulative, meaning that a Member can qualify for both of them and receive an additional rebate of up to \$0.03 per originating contract side.

The combination of the base rebate and the additional rebates will offer Members that use the Facilitation Mechanism or PIM for unsolicited Crossing Orders an opportunity to receive as much as \$0.06 in rebates per originating contract side.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,¹⁹ in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,²⁰ in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system “has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.”²¹

Likewise, in *NetCoalition v. Securities and Exchange Commission*²² (“*NetCoalition*”) the DC Circuit upheld the Commission’s use of a market-based approach in evaluating the fairness of market data fees against a challenge claiming that Congress mandated a cost-based approach.²³ As the court emphasized, the Commission “intended

in Regulation NMS that ‘market forces, rather than regulatory requirements’ play a role in determining the market data . . . to be made available to investors and at what cost.”²⁴

Further, “[n]o one disputes that competition for order flow is ‘fierce.’ . . . As the SEC explained, ‘[i]n the U.S. national market system, buyers and sellers of securities, and the broker-dealers that act as their order-routing agents, have a wide range of choices of where to route orders for execution’; [and] ‘no exchange can afford to take its market share percentages for granted’ because ‘no exchange possesses a monopoly, regulatory or otherwise, in the execution of order flow from broker dealers’. . . .”²⁵ Although the court and the SEC were discussing the cash equities markets, the Exchange believes that these views apply with equal force to the options markets.

The Exchange believes that its proposal to eliminate the MORP is reasonable because the MORP has proven to be ineffective in achieving its aim of attracting additional unsolicited Crossing Order flow to the Exchange. The conditions for participation in the MORP have proven to be too onerous for Members. Furthermore, the Exchange has limited resources available to it to devote to the operation of special pricing programs and as such, it is equitable to allocate those resources to those programs that are effective and away from those programs that are ineffective. The proposal to eliminate the MORP is not unfairly discriminatory because the proposal will apply uniformly to all similarly situated Members.

The Exchange’s proposal to eliminate the Customer to Customer Rebate PLUS program is also both reasonable and equitable because this program provides only an indirect incentive to Members to send unsolicited Crossing Orders to the Exchange and the Exchange prefers to re-allocate its limited resources to the provision of a stronger and more direct incentive. The proposal to eliminate the Customer to Customer Rebate PLUS program is not unfairly discriminatory because the proposal will apply uniformly to all similarly situated Members.

The Exchange’s proposal to replace the MORP and the Customer to Customer Rebate PLUS program with the PIM and Facilitation Rebate program is also reasonable and equitable. The

Exchange expects the PIM and Facilitation program will complement its QCC and Solicitation Rebate program for solicited Crossing Orders and it will provide a more easily accessible, direct, and effective incentive for Members to send their unsolicited Crossing Orders to the Exchange. In particular, the proposal will encourage Members to send unsolicited PIM and Facilitation orders to the Exchange and to meet the 200,000 contract threshold to obtain the higher \$0.03 base rebate.²⁶ The Exchange also believes that it reasonable and equitable to provide an additional rebate as a reward to Members that achieve high levels of QCC and Solicitation activity in addition to Facilitation and PIM activity. It is also reasonable and equitable for the Exchange to provide additional rebates to Members that achieve high volumes of Priority Customer complex activity as a means of incentivizing increased use of the Exchange’s Complex Order Book. The Exchange expects that this package of rebates will be attractive to market participants.

Finally, the Exchange believes that the proposed rebates for unsolicited Crossing Orders in the PIM and Facilitation Mechanism are not unfairly discriminatory. Although the proposal is focused on incentives for unsolicited Crossing Orders, it replaces existing Exchange rebate programs with a similar aim. In any event, the Exchange already maintains a robust QCC and Solicitation Rebate program of incentives for members that submit solicited Crossing Orders to the QCC or the Solicitation, Facilitation, or Price Improvement Mechanisms. Furthermore, the Exchange’s decision to limit program eligibility to those unsolicited Crossing Orders that involve Firm Proprietary or Broker Dealer contra-side parties is not unfairly discriminatory because the Exchange wishes to encourage the direct submission by Members of Crossing Orders to the Exchange, and as a matter of practice, Firm Proprietary and Broker-Dealer orders are most likely to directly submitted by Members as these participant types typically utilize the crossing fee cap on ISE and have increased incentive to pre-pay for their Crossing Orders. Finally, the Exchange will apply the proposed rebates uniformly to all Members’ orders that meet the required volume thresholds.

¹⁹ 15 U.S.C. 78f(b).

²⁰ 15 U.S.C. 78f(b)(4) and (5).

²¹ Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496, 37499 (June 29, 2005) (“Regulation NMS Adopting Release”).

²² *NetCoalition v. SEC*, 615 F.3d 525 (DC Cir. 2010).

²³ See *NetCoalition*, at 534–535.

²⁴ *Id.* at 537.

²⁵ *Id.* at 539 (quoting Securities Exchange Act Release No. 59039 (December 2, 2008), 73 FR 74770, 74782–83 (December 9, 2008) (SR–NYSEArca–2006–21)).

²⁶ The Exchange believes it is reasonable to determine rebates with reference to “total affiliated ADV” because it applies the same concept elsewhere, including in calculating its QCC and Solicitation Rebate program rebates.

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 not necessary or appropriate in furtherance of the purposes of the Act.

The proposed changes to the Exchange's rebate programs are intended to attract additional order flow to ISE. The Exchange believes that the proposal will enhance the competitiveness of the ISE relative to other options exchanges.

The Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges and with alternative trading systems that have been exempted from compliance with the statutory standards applicable to exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may impose any burden on competition is extremely limited.

In sum, if the changes proposed herein are unattractive to market participants, it is likely that the Exchange will lose market share as a result. Accordingly, the Exchange does not believe that the proposed changes will impair the ability of Members or competing order execution venues to maintain their competitive standing in the financial markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,²⁷ and Rule 19b-4(f)(2)²⁸ thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i)

Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule 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-ISE-2018-27 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-ISE-2018-27. 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-ISE-2018-27 and should be submitted on or before May 2, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁹

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-07408 Filed 4-10-18; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Securities Act of 1933 Release No. 33-10476/April 5, 2018; Securities Exchange Act of 1934 Release No. 34-82997/April 5, 2018]

Order Regarding Review of FASB Accounting Support Fee for 2018 Under Section 109 of the Sarbanes-Oxley Act of 2002

The Sarbanes-Oxley Act of 2002 (the "Act") provides that the Securities and Exchange Commission (the "Commission") may recognize, as generally accepted for purposes of the securities laws, any accounting principles established by a standard setting body that meets certain criteria. Consequently, Section 109 of the Act provides that all of the budget of such a standard setting body shall be payable from an annual accounting support fee assessed and collected against each issuer, as may be necessary or appropriate to pay for the budget and provide for the expenses of the standard setting body, and to provide for an independent, stable source of funding, subject to review by the Commission. Under Section 109(f) of the Act, the amount of fees collected for a fiscal year shall not exceed the "recoverable budget expenses" of the standard setting body. Section 109(h) amends Section 13(b)(2) of the Securities Exchange Act of 1934 to require issuers to pay the allocable share of a reasonable annual accounting support fee or fees, determined in accordance with Section 109 of the Act.

On April 25, 2003, the Commission issued a policy statement concluding that the Financial Accounting Standards Board ("FASB") and its parent organization, the Financial Accounting Foundation ("FAF"), satisfied the criteria for an accounting standard-setting body under the Act, and recognizing the FASB's financial accounting and reporting standards as "generally accepted" under Section 108 of the Act.¹ As a consequence of that recognition, the Commission undertook a review of the FASB's accounting

²⁷ 15 U.S.C. 78s(b)(3)(A)(ii).

²⁸ 17 CFR 240.19b-4(f)(2).

²⁹ 17 CFR 200.30-3(a)(12).

¹ Financial Reporting Release No. 70.

support fee for calendar year 2018.² In connection with its review, the Commission also reviewed the budget for the FAF and the FASB for calendar year 2018.

Section 109 of the Act also provides that the standard setting body can have additional sources of revenue for its activities, such as earnings from sales of publications, provided that each additional source of revenue shall not jeopardize, in the judgment of the Commission, the actual or perceived independence of the standard setter. In this regard, the Commission also considered the interrelation of the operating budgets of the FAF, the FASB, and the Governmental Accounting Standards Board (“GASB”), the FASB’s sister organization, which sets accounting standards used by state and local government entities. The Commission has been advised by the FAF that neither the FAF, the FASB, nor the GASB accept contributions from the accounting profession.

The Commission understands that the Office of Management and Budget (“OMB”) has determined the FASB’s spending of the 2018 accounting support fee is sequestrable under the Budget Control Act of 2011.³ So long as sequestration is applicable, we anticipate that the FAF will work with the Commission and Commission staff as appropriate regarding its implementation of sequestration.

The Commission requests that the FAF and the FASB continue to provide the Commission with quarterly updates of their activities, including but not limited to their efforts to include a wide-range of views from investors, preparers, auditors, academics, and other constituent groups, and their efforts to improve the selection process for FASB and FAF members.

After its review, the Commission determined that the 2018 annual accounting support fee for the FASB is consistent with Section 109 of the Act. Accordingly,

It is ordered, pursuant to Section 109 of the Act, that the FASB may act in accordance with this determination of the Commission.

² The Financial Accounting Foundation’s Board of Trustees approved the FASB’s budget on November 14, 2017. The FAF submitted the approved budget to the Commission on November 17, 2017.

³ See “OMB Report Pursuant to the Sequestration Transparency Act of 2012” (P.L. 112–155), page 222 of 224 at: http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/stareport.pdf.

By the Commission.

Brent J. Fields,

Secretary.

[FR Doc. 2018–07363 Filed 4–10–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83000; File No. SR–NYSEArca–2018–17]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to the ProShares Short VIX Short-Term Futures ETF and ProShares Ultra VIX Short-Term Futures ETF

April 5, 2018.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (“Act”)² and Rule 19b–4 thereunder,³ notice is hereby given that on March 23, 2018, NYSE Arca, Inc. (“Exchange” or “NYSE Arca”) 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 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 make changes to certain representations made in the proposed rule change previously filed with the Commission pursuant to Rule 19b–4 relating to ProShares Short VIX Short-Term Futures ETF and ProShares Ultra VIX Short-Term Futures ETF, shares of which currently are listed and traded under NYSE Arca Rule 8.200–E, Commentary .02. The proposed rule 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.

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

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b–4.

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 Commission has approved the listing and trading on the Exchange of shares (“Shares”) of the ProShares Short VIX Short-Term Futures ETF (the “Short Fund”) and ProShares Ultra VIX Short-Term Futures ETF (the “Ultra Fund” and, together with the Short Fund, the “Funds”) under NYSE Arca Rule 8.200–E, Commentary .02 (formerly NYSE Arca Equities Rule 8.200, Commentary .02), which governs the listing and trading of Trust Issued Receipts.⁴ Shares of the Funds are currently listed and traded on the Exchange under NYSE Arca Rule 8.200–E, Commentary .02.⁵ Other than Shares of the Short Fund and the Ultra Fund, shares of the ProShares ETFs approved for listing and trading in the Prior Order are not listed and traded on the Exchange.⁶

The Shares are issued by ProShares Trust II (the “Trust”). ProShare Capital Management LLC (“Sponsor”) serves as the Trust’s Sponsor.

In this proposed rule change, the Exchange proposes to amend certain representations made in the Prior Notice relating to each Fund’s investment

⁴ Commentary .02 to NYSE Arca Rule 8.200–E applies to TIRs 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 Commission previously approved the listing and trading of the Shares of the Funds on the Exchange. See Securities Exchange Act Release Nos. 65134 (August 15, 2011), 76 FR 52034 (August 19, 2011) (SR–NYSEArca–2011–23) (Order Granting Approval of Proposed Rule Change To List and Trade Shares of ProShares Short VIX Short-Term Futures ETF, ProShares Short VIX Mid-Term Futures ETF, ProShares Ultra VIX Short-Term Futures ETF, ProShares Ultra VIX Mid-Term Futures ETF, ProShares UltraShort VIX Short-Term Futures ETF, and ProShares UltraShort VIX Mid-Term Futures ETF Under NYSE Arca Equities Rule 8.200, Commentary .02) (the “Prior Order”); 64470 (May 11, 2011), 76 FR 28493 (May 17, 2011) (SR–NYSEArca–2011–23) (Notice of Filing of Proposed Rule Change To List and Trade Shares of the Funds Under NYSE Arca Equities Rule 8.200, Commentary .02.) (the “Prior Notice”).

⁶ On February 28, 2018, the Exchange appended a “.BC” (below compliance) indicator to the trading symbols for the Funds (SVXY for the Short Fund and UVXY for the Ultra Fund), signifying non-compliance with certain representations in the Prior Notice and Prior Order.

objective, in order to reflect recent changes to the investment objective of each Fund, as described below.⁷

The Sponsor believes the change to each Fund's investment objective (as described herein) is appropriate and consistent with the best interest of each Fund and Fund shareholders in light of recent extreme changes in the value of the S&P 500[®] VIX Short-Term Futures Index (the "Index"). As a result of the change to each Fund's investment objective, the Sponsor expects the risk profile and volatility of each Fund to be significantly reduced.

As stated in the Prior Notice, each Fund seeks, on a daily basis, to provide investment results (before fees and expenses) that correspond to the inverse of the daily performance or a multiple of the daily performance of a benchmark (*i.e.*, the Index) that seeks to offer exposure to market volatility through publicly traded futures markets. Specifically, the prior investment objective of the Short Fund was to seek results (before fees and expenses) that correspond to the inverse ($-1x$) of the performance of the Index for a single day. The prior investment objective of the Ultra Fund was to seek results (before fees and expenses) that correspond to two times ($2x$) the performance of the Index for a single day.⁸ Each Fund seeks to achieve its investment objective by investing under normal market conditions in VIX Futures Contracts.⁹

If the Short Fund is successful in meeting its objective, its value (before fees and expenses) should gain approximately as much on a percentage

basis as its Index when the Index declines on a given day. Conversely, its value (before fees and expenses) should lose approximately as much on a percentage basis as its Index when the Index rises on a given day.

If the Ultra Fund is successful in meeting its objective, its value (before fees and expenses) should gain approximately twice as much on a percentage basis as its Index when the Index rises on a given day. Conversely, its value (before fees and expenses) should lose approximately twice as much on a percentage basis as its Index when the Index declines on a given day.

As of the close of business on February 27, 2018, the Short Fund changed its investment objective to seek results (before fees and expenses) that correspond to one-half the inverse ($-0.5x$) of the performance of the Index for a single day. The Ultra Fund changed its investment objective to seek results (before fees and expenses) that correspond to one and one-half times ($1.5x$) of the performance of the Index for a single day.

As a result of the change to each Fund's investment objective, the Exchange proposes to amend the representations in the Prior Notice described in the preceding two paragraphs as follows.

If the Short Fund is successful in meeting its objective, its value (before fees and expenses) should gain approximately half as much on a percentage basis as its Index when the Index declines on a given day. Conversely, its value (before fees and expenses) should lose approximately half as much on a percentage basis as the Index when the Index rises on a given day.

If the Ultra Fund is successful in meeting its objective, its value (before fees and expenses) should gain approximately 1.5 times as much on a percentage basis as its Index when the Index rises on a given day. Conversely, its value (before fees and expenses) should lose approximately 1.5 times as much on a percentage basis as its Index when the Index declines on a given day.

The Prior Notice stated that the Funds do not seek to achieve their stated investment objective over a period of time greater than one day because mathematical compounding prevents the Funds from perfectly achieving such results. Accordingly, as noted in the Prior Notice, results over periods of time greater than one day typically will not be a simple inverse correlation ($-100%$) or multiple correlation ($+200%$) of the period return of the Index and may differ significantly.

As a result of the change to each Fund's investment objective, the Exchange proposes to amend the representations in the preceding paragraph with respect to the Short Fund and the Ultra Fund as described below.

The Funds do not seek to achieve their stated investment objective over a period of time greater than one day because mathematical compounding prevents the Funds from perfectly achieving such results. Accordingly, results over periods of time greater than one day typically will not be a simple one-half of the inverse correlation ($-50%$) or multiple correlation ($+150%$) of the period return of the Index and may differ significantly.

The Prior Notice stated that NYSE Arca will calculate and disseminate every 15 seconds throughout the NYSE Arca Core Trading Session (9:30 a.m. to 4:00 p.m. E.T.) an updated Intraday Optimized Portfolio Value ("IOPV"). The Prior Notice also stated that the IOPV will be calculated by the NYSE Arca using the prior day's closing net assets of a Fund as a base and updating throughout the trading day changes in the value of such Fund's holdings. The Exchange proposes to amend these representations to state that the IOPV will be calculated and widely disseminated by one or more major market data vendors every 15 seconds throughout the NYSE Arca Core Trading Session, and that the IOPV will be calculated using the prior day's closing net assets of a Fund as a base and updating throughout the trading day changes in the value of such Fund's holdings, consistent with the Exchange's previous proposed rule change regarding calculation of the Intraday Indicative Value for specified Exchange-Traded Products.¹⁰

Except for the changes noted above, all other statements and representations made in the Prior Notice remain unchanged.¹¹ The Funds will comply with all continued listing requirements under NYSE Arca Rule 8.200-E, Commentary .02.

2. Statutory Basis

The basis under the Act for this proposed rule change is the requirement under Section 6(b)(5)¹² that an exchange have rules that are designed to prevent fraudulent and manipulative

⁷ The Funds have a filed registration statement on Form S-3 under the Securities Act of 1933 (File No. 333-220688). The Funds' prospectus containing the previous investment objectives for the Funds was filed pursuant to Rule 424(b)(3) on February 15, 2018. A prospectus containing the new objectives, as described herein, was filed pursuant to Rule 424(b)(3) on February 28, 2018 ("Registration Statement"). The description of the Funds and the Shares contained herein are based on the Registration Statement. The change to each Fund's investment objective as described herein was implemented effective as of the close of business on February 27, 2018. The Sponsor issued a press release dated February 26, 2018 regarding the Sponsor's plans to reduce the target exposure for the Funds. See http://www.proshares.com/news/proshare_capital_management_llc_plans_to_reduce_target_exposure_on_two_etfs.html.

⁸ According to the Registration Statement, for these purposes, a "single day" is measured from the time a Fund calculates its net asset value ("NAV") to the time of the Fund's next NAV calculation.

⁹ The term "under normal conditions" includes, but is not limited to, the absence of extreme volatility or trading halts in the futures markets or the financial markets generally; operational issues causing dissemination of inaccurate market information; or force majeure type events such as systems failure, natural or man-made disaster, act of God, armed conflict, act of terrorism, riot or labor disruption or any similar intervening circumstance.

¹⁰ See Securities Exchange Act Release No. 81985 (October 31, 2017) (SR-NYSEArca-2017-127) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change Regarding Exchange Calculation of the Intraday Indicative Value for Specified Exchange-Traded Products).

¹¹ See note 5, *supra*.

¹² 15 U.S.C. 78f(b)(5).

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 is designed to promote just and equitable principles of trade and to protect investors and the public interest.

Consistent with the representations in the Prior Notice, each Fund will continue to seek to achieve its investment objective by investing under normal market conditions in VIX Futures Contracts.

As a result of the change to each Fund's investment objective, the Exchange is proposing to amend representations in the Prior Notice regarding the correlation of the value of the Shares of the Short Fund and the Ultra Fund with the Index.

The Short Fund previously had an investment objective to seek results (before fees and expenses) that correspond to the inverse ($-1x$) of the performance of the Index for a single day. As of February 27, 2018, the Fund's objective was changed to seek results (before fees and expenses) that correspond to one-half of the inverse ($-0.5x$) of the performance of the Index for a single day.

The Ultra Fund previously had an investment objective to seek results (before fees and expenses) that correspond to two times ($2x$) the performance of the Index for a single day. As of the close of business on February 27, 2018, the Fund's objective was changed to seek results (before fees and expenses) that correspond to one and one-half times ($1.5x$) of the performance of the Index for a single day.

The Sponsor believes the change to each Fund's investment objective is appropriate and consistent with the best interest of each Fund and Fund shareholders in light of recent extreme changes in the value of the Index. As a result of the change to each Fund's investment objective, the Sponsor expects the risk profile and volatility of each Fund to be significantly reduced.

The Exchange's proposal to amend the representations in the Prior Notice regarding the IOPV calculation and dissemination as described above reflects changes that are consistent with the Exchange's previous proposed rule change regarding calculation of the

Intraday Indicative Value for specified Exchange-Traded Products.¹³

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes the proposed rule change will enhance competition and benefit investors and the marketplace by permitting continued listing and trading of Shares of the Funds with their revised investment objectives, as described above.

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) 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 Act¹⁴ and Rule 19b-4(f)(6) thereunder.¹⁵

A proposed rule change filed pursuant to Rule 19b-4(f)(6) under the Act¹⁶ normally does not become operative for 30 days after the date of its filing. However, Rule 19b-4(f)(6)(iii)¹⁷ permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change may become operative upon filing. The Commission notes that, as a result of the change to each Fund's investment objective,¹⁸ the

¹³ See note 10, *supra*.

¹⁴ 15 U.S.C. 78s(b)(3)(A).

¹⁵ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of 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.

¹⁶ 17 CFR 240.19b-4(f)(6).

¹⁷ 17 CFR 240.19b-4(f)(6)(iii).

¹⁸ As noted above, the change to each Fund's investment objective was implemented effective as

risk profile and volatility of each Fund is expected to be reduced. Moreover, the proposed changes to the representations in the Prior Notice regarding IOPV calculation and dissemination are consistent with the Exchange's previous proposed rule change regarding calculation of the Intraday Indicative Value for specified Exchange-Traded Products. The Commission notes that, except for the changes in this proposed rule change, all other statements and representations made in the Prior Notice remain unchanged, and the Funds will comply with all continued listing requirements under NYSE Arca Rule 8.200-E, Commentary .02. The Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.¹⁹

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall 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-NYSEArca-2018-17 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange

of the close of business on February 27, 2018. On February 28, 2018, the Exchange appended a ".BC" indicator to the trading symbols for the Funds, signifying non-compliance with certain representations in the Prior Notice and Prior Order.

¹⁹ For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

Commission, 100 F Street NE,
Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSEArca-2018-17. 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-NYSEArca-2018-17 and should be submitted on or before May 2, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁰

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-07406 Filed 4-10-18; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-82999; File No. SR-ISE-2018-28]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange's Schedule of Fees To Clarify the Fees and Rebates for the Complex Order Exposure Auction Pursuant to Rule 722(b)(3)(iii)

April 5, 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 March 23, 2018, Nasdaq ISE, LLC ("ISE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Exchange's Schedule of Fees to provide greater clarity as to how the Exchange currently charges complex orders executed during an exposure auction pursuant to Rule 722(b)(3)(iii) ("Exposure Auction").

The text of the proposed rule change is available on the Exchange's website at <http://ise.cchwallstreet.com/>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the 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 the proposed rule change is to amend the Exchange's Schedule of Fees to provide greater clarity as to how the Exchange currently charges complex orders executed during an Exposure Auction pursuant to Rule 722(b)(3)(iii). An Exposure Auction is automatically initiated when a member submits an eligible complex order that is marked for price improvement.³ Because Exposure Auctions are initiated by complex orders entered on the complex order book, they are charged based on the same maker/taker scheme as is applicable to other complex orders that are executed on the complex order book rather than the separate pricing defined for Crossing Orders.⁴ Specifically, the Exchange treats the originating side of Exposure Auction orders as adding liquidity, and the contra side as taking liquidity, for the purpose of determining applicable fees and rebates. Since the Schedule of Fees does not currently indicate the manner in which the Exchange treats the originating or contra side of Exposure Auction orders, the Exchange proposes to add the following language in Section II: "During an "exposure" auction pursuant to Rule 722(b)(3)(iii), the originating side of the auction order will be assessed the applicable maker fee or rebate, and the contra side will be assessed the applicable taker fee or rebate."

Thus, based on current rates, the Exchange charges the originating side of Non-Priority Customer⁵ Exposure Auction orders that trade against other Non-Priority Customer orders a maker fee of \$0.10 per contract in Select

³ Pursuant to Rule 722(b)(3)(iii), the marked complex order is exposed for a period of up to one-second. When the Exchange first adopted Rule 722(b)(3)(iii), it indicated that this exposure period, which provided members an opportunity for price improvement, was not considered an "auction." See Securities Exchange Act Release No. 57706 (April 24, 2008), 73 FR 23517 (April 30, 2008) (SR-ISE-2007-77) ("2007 Filing"). Notwithstanding the 2007 Filing, this feature would be considered an auction today.

⁴ A "Crossing Order" is an order executed in the Exchange's Facilitation Mechanism, Solicited Order Mechanism, Price Improvement Mechanism (PIM) or submitted as a Qualified Contingent Cross order. For purposes of the Fee Schedule, orders executed in the Block Order Mechanism are also considered Crossing Orders.

⁵ Non-Priority Customer includes Market Maker, Non-Nasdaq ISE Market Maker, Firm Proprietary, Broker-Dealer, and Professional Customer.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

²⁰ 17 CFR 200.30-3(a)(12).

Symbols⁶ for Market Maker,⁷ Firm Proprietary⁸/Broker-Dealer,⁹ and Professional Customer¹⁰ orders, and \$0.20 per contract in Select Symbols for Non-Nasdaq ISE Market Maker¹¹ orders. In Non-Select Symbols,¹² the originating side is charged a \$0.20 per contract maker fee for all Non-Priority Customer orders. The contra side Non-Priority Customer order is charged a taker fee of \$0.50 per contract in Select Symbols for Market Maker (or \$0.44 per contract for Market Makers with total affiliated Priority Customer Complex ADV of 150,000 or more contracts),¹³ Non-Nasdaq ISE Market Maker, Firm Proprietary/Broker-Dealer, and Professional Customer orders. In Non-Select Symbols, the contra side Non-Priority Customer order is charged a \$0.86 per contract taker fee for Market Maker orders,¹⁴ and a \$0.88 per contract taker fee for Non-Nasdaq ISE Market Maker, Firm Proprietary/Broker-Dealer, and Professional Customer orders.¹⁵

When Non-Priority Customer orders trade against Priority Customer¹⁶ orders

⁶ “Select Symbols” are options overlying all symbols listed on ISE that are in the Penny Pilot Program.

⁷ The term “Market Makers” refers to “Competitive Market Makers” and “Primary Market Makers” collectively.

⁸ A “Firm Proprietary” order is an order submitted by a member for its own proprietary account.

⁹ A “Broker-Dealer” order is an order submitted by a member for a broker-dealer account that is not its own proprietary account.

¹⁰ A “Professional Customer” is a person or entity that is not a broker/dealer and is not a Priority Customer.

¹¹ A “Non-Nasdaq ISE Market Maker” is a market maker as defined in Section 3(a)(38) of the Securities Exchange Act of 1934, as amended, registered in the same options class on another options exchange.

¹² “Non-Select Symbols” are options overlying all symbols excluding Select Symbols.

¹³ Further, Nasdaq ISE Market Makers making or taking liquidity receive a discount of \$0.02 when trading against Priority Customer orders preferred to them in the Complex Order Book in equity options that are able to be listed and traded on more than one options exchange. This discount does not apply to FX Options Symbols or to option classes designated by the Exchange to receive a guaranteed allocation pursuant to Nasdaq ISE Rule 722(b)(3)(i)(B).

¹⁴ *Id.*

¹⁵ The Exchange also currently charges a \$0.03 per contract complex surcharge for Non-Priority Customer complex orders in Non-Select Symbols that take liquidity from the complex order book, excluding complex orders executed in the Facilitation Mechanism, Solicited Order Mechanism, Price Improvement Mechanism and Exposure Auctions. See Securities Exchange Act Release No. 82644 (February 6, 2018), 83 FR 6069 (February 12, 2018) (SR-ISE-2018-10).

¹⁶ A “Priority Customer” is a person or entity that is not a broker/dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s), as defined in Nasdaq ISE Rule 100(a)(37A).

in Exposure Auctions and the originating side is a Non-Priority Customer order, the originating side is charged a maker fee of \$0.47 per contract in Select Symbols for Market Maker orders (or \$0.44 per contract for Market Makers with total affiliated Priority Customer Complex ADV of 150,000 or more contracts),¹⁷ and \$0.48 per contract for Non-Nasdaq ISE Market Maker, Firm Proprietary/Broker-Dealer, and Professional Customer orders. In Non-Select Symbols, the originating side is charged a \$0.86 per contract maker fee for Market Maker orders,¹⁸ and a \$0.88 per contract maker fee for Non-Nasdaq ISE Market Maker, Firm Proprietary/Broker-Dealer, and Professional Customer orders. The contra side Priority Customer order is paid a volume-based tiered rebate,¹⁹ which currently ranges from \$0.26 per contract in Select Symbols (if the member executes Priority Customer Complex ADV of 0 to 14,999 contracts in a given month) to \$0.50 per contract in Select Symbols (if the member executes Priority Customer Complex ADV of 225,000 or more contracts in a given month). In Non-Select Symbols, the tiered rebate paid to the contra side Priority Customer order currently ranges from \$0.40 per contract (if the member executes Priority Customer Complex ADV of 0 to 14,999 contracts in a given month) to \$0.85 per contract (if the member executes Priority Customer Complex ADV of 225,000 or more contracts in a given month).

When Non-Priority Customer orders trade against Priority Customer orders in Exposure Auctions and the originating side is a Priority Customer order, the originating side receives the tiered rebate in Select and Non-Select Symbols, as discussed above. The contra side Non-Priority Customer is charged the taker fee in Select and Non-Select Symbols, as discussed above.²⁰ Lastly, when Priority Customer orders trade against Priority Customer orders in Exposure Auctions, neither the originating side nor the contra side is charged a fee or given a rebate because the Exchange currently does not charge a maker or taker fee for Priority Customer complex orders, and provides a rebate only if the Priority Customer complex order trades against a Non-

Priority Customer complex order, as described above.

While the proposed change discussed above is consistent with current practice, the Exchange believes that the clarifications will eliminate any potential confusion around how Exposure Auction orders are charged today.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,²¹ in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,²² in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among members and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers. The Exchange believes that it is reasonable, equitable and not unfairly discriminatory to clarify in Section II of the Schedule of Fees as to how the Exchange currently charges Exposure Auction orders, as further discussed above. The Exchange believes that the proposed change will eliminate any potential confusion around how Exposure Auction orders are charged today, and will make the Schedule of Fees more transparent to members and investors.

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 not necessary or appropriate in furtherance of the purposes of the Act. The proposed change is not intended to address any competitive issues but rather to provide more clarity and transparency regarding how Exposure Auction orders are charged today. The Exchange operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive, or rebate opportunities available at other venues to be more favorable. In such an environment, the Exchange must continually adjust its fees to remain competitive with other exchanges. Because competitors are free to modify their own fees in response, and because market participants may readily adjust their order routing practices, the Exchange believes that the degree to which fee changes in this market may

¹⁷ See note 13 above.

¹⁸ *Id.*

¹⁹ The Exchange provides rebates to members for adding and taking liquidity based on tiers that reflect their Priority Customer Complex average daily volume (“ADV”) executed during a given month.

²⁰ See note 15 above.

²¹ 15 U.S.C. 78f(b).

²² 15 U.S.C. 78f(b)(4) and (5).

impose any burden on competition is extremely limited.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,²³ and Rule 19b-4(f)(2)²⁴ thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule 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-ISE-2018-28 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-ISE-2018-28. 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-ISE-2018-28 and should be submitted on or before May 2, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²⁵

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2018-07405 Filed 4-10-18; 8:45 am]

BILLING CODE 8011-01-P

DEPARTMENT OF STATE

[Public Notice: 10386]

U.S. Department of State Advisory Committee on Private International Law (ACPIL): Public Meeting on Security Interest

The Office of the Assistant Legal Adviser for Private International Law, Department of State, hereby gives notice that the Advisory Committee on Private International Law (ACPIL) will hold a public meeting via teleconference to discuss the next session of the UNCITRAL WG VI (Security Interests). The next meeting of UNCITRAL Working Group VI is scheduled for April 30–May 4, 2018. This public meeting is not a meeting of the full Advisory Committee.

This public meeting will discuss the Draft Practice Guide to the UNCITRAL Model Law on Secured Transactions. The Draft Practice Guide provides guidance to users of the Model Law on Secured Transactions on (1) the types of financing transactions that are possible under the law, (2) how to do a number of common and commercially important

types of secured transactions, and (3) how to coordinate between the Law and the State's prudential regulatory framework. Additionally, the Working Group will discuss possible future work. Documents for the session are available at http://www.uncitral.org/uncitral/en/commission/working_groups/6Security_Interests.html

Time and Place: The public meeting will take place on April 26 from 10 a.m. to 12:30 p.m. EDT, via conference call.

Public Participation: Those planning to participate should email pil@state.gov to obtain the call-in number. The number will not be given out until the afternoon before the public meeting.

Michael J. Dennis,

Attorney-Adviser, Office of Private International Law, Office of the Legal Adviser, Department of State.

[FR Doc. 2018-07457 Filed 4-10-18; 8:45 am]

BILLING CODE 4710-08-P

STATE JUSTICE INSTITUTE

SJI Board of Directors Meeting, Notice

AGENCY: State Justice Institute.

ACTION: Notice of meeting.

SUMMARY: The SJI Board of Directors will be meeting on Monday, April 23, 2018 at 1:00 p.m. The meeting will be held at the St. Louis County Courthouse, 105 S. Central Avenue, Clayton, Missouri. The purpose of this meeting is to consider grant applications for the 2nd quarter of FY 2018, and other business. All portions of this meeting are open to the public.

ADDRESSES: St. Louis County Courthouse, 105 S. Central Avenue, Clayton, Missouri 63105.

FOR FURTHER INFORMATION CONTACT: Jonathan Mattiello, Executive Director, State Justice Institute, 11951 Freedom Drive, Suite 1020, Reston, VA 20190, 571-313-8843, contact@sjj.gov.

Jonathan D. Mattiello,

Executive Director.

[FR Doc. 2018-07461 Filed 4-10-18; 8:45 am]

BILLING CODE P

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Rescinded for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the approved by rule projects rescinded by the

²³ 15 U.S.C. 78s(b)(3)(A)(ii).

²⁴ 17 CFR 240.19b-4(f)(2).

²⁵ 17 CFR 200.30-3(a)(12).

Susquehanna River Basin Commission during the period set forth in **DATES**.

DATES: February 1–28, 2018.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT:

Jason E. Oyler, General Counsel, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; email: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, being rescinded for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR 806.22(e) and 806.22(f) for the time period specified above:

Rescinded ABR Issued:

1. EQT Production Company, Pad ID: Phoenix H, ABR-201010058.R1, Morris Township, Tioga County, Pa.; Rescind Date: February 20, 2018.

2. EQT Production Company, Pad ID: Doe, ABR-201102023.R1, Shippen Township, Cameron County, Pa.; Rescind Date: February 20, 2018.

3. EQT Production Company, Pad ID: Stoney Brook, ABR-201105008.R1, Jay Township, Elk County, Pa.; Rescind Date: February 20, 2018.

4. EQT Production Company, Pad ID: Phoenix P, ABR-201105024.R1, Duncan Township, Tioga County, Pa.; Rescind Date: February 20, 2018.

5. EQT Production Company, Pad ID: Gobbler, ABR-201107039.R1, Huston Township, Clearfield County, Pa.; Rescind Date: February 20, 2018.

6. EQT Production Company, Pad ID: Ginger, ABR-201506001, Jay Township, Elk County, Pa.; Rescind Date: February 20, 2018.

Authority: Pub. L. 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: April 6, 2018.

Stephanie L. Richardson,
Secretary to the Commission.

[FR Doc. 2018-07424 Filed 4-10-18; 8:45 am]

BILLING CODE 7040-01-P

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on May 10, 2018, in Harrisburg, Pennsylvania. At this public hearing, the Commission will hear testimony on

the projects listed in the **SUPPLEMENTARY INFORMATION** section of this notice. The Commission will also hear testimony on a proposed records retention policy, as well as proposals to amend its Regulatory Program Fee Schedule and the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin*. Such projects and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 15, 2018, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and proposals. The deadline for the submission of written comments is May 21, 2018.

DATES: The public hearing will convene on May 10, 2018, at 2:30 p.m. The public hearing will end at 5:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is May 21, 2018.

ADDRESSES: The public hearing will be conducted at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, Pa.

FOR FURTHER INFORMATION CONTACT:

Jason Oyler, General Counsel, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436.

Information concerning the applications for these projects is available at the SRBC Water Application and Approval Viewer at <http://mdw.srbc.net/waav>. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf.

SUPPLEMENTARY INFORMATION: The public hearing will cover a proposed records retention policy, as well as proposed amendments to the Commission's Regulatory Program Fee Schedule and the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin*, as posted on the SRBC Public Participation Center web page at www.srbc.net/pubinfo/publicparticipation.htm. The public hearing will also cover the following projects:

Projects Scheduled for Action:

1. Project Sponsor and Facility: Brymac, Inc. dba Mountain View Country Club (Pond $\frac{3}{4}$), Harris Township, Centre County, Pa. Application for surface water withdrawal of up to 0.240 mgd (peak day).

2. Project Sponsor and Facility: Dillsburg Area Authority, Franklin Township, York County, Pa. Modification to increase groundwater withdrawal by an additional 0.099 mgd (30-day average), for a total groundwater withdrawal of up to 0.200 mgd (30-day average) from Well 3 (Docket No. 20081207).

3. Project Sponsor and Facility: Healthy Properties, Inc. (Sugar Creek), North Towanda Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20140602).

4. Project Sponsor and Facility: LDG Innovation, LLC (Tioga River), Lawrenceville Borough, Tioga County, Pa. Application for renewal of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20140604).

5. Project Sponsor and Facility: Lycoming Engines, a Division of Avco Corporation, City of Williamsport, Lycoming County, Pa. Application for renewal of groundwater withdrawal of up to 1.440 mgd (30-day average) for groundwater remediation system (Docket No. 19880203).

6. Project Sponsor and Facility: Mountain Energy Services, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 1.498 mgd (peak day) (Docket No. 20140606).

7. Project Sponsor and Facility: Niagara H2O Company (Susquehanna River), Towanda Township, Bradford County, Pa. Application for surface water withdrawal of up to 1.500 mgd (peak day).

8. Project Sponsor and Facility: Northeast Marcellus Aqua Midstream I, LLC (Susquehanna River), Tunkhannock Township, Wyoming County, Pa. Application for surface water withdrawal of up to 5.000 mgd (peak day).

9. Project Sponsor and Facility: Pennsylvania General Energy Company, L.L.C. (Pine Creek), Watson Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 0.918 mgd (peak day) (Docket No. 20140609).

10. Project Sponsor and Facility: Pro-Environmental, LLC (Martins Creek), Lathrop Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20140610).

11. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Fall Brook), Troy Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 0.176 mgd (peak day) (Docket No. 20140615).

12. Project Sponsor and Facility: Repsol Oil & Gas USA, LLC (Unnamed Tributary to North Branch Sugar Creek), Columbia Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 0.926 mgd (peak day) (Docket No. 20140616).

13. Project Sponsor: SUEZ Water Pennsylvania Inc. Project Facility: Center Square Operation, Upper Allen Township, Cumberland County, Pa. Application for groundwater withdrawal of up to 0.107 mgd (30-day average) from Well 1.

14. Project Sponsor: SUEZ Water Pennsylvania Inc. Project Facility: Center Square Operation, Upper Allen Township, Cumberland County, Pa. Application for renewal of groundwater withdrawal of up to 0.379 mgd (30-day average) from Well 2 (Docket No. 19861104).

15. Project Sponsor and Facility: Sugar Hollow Water Services LLC (Bowman Creek), Eaton Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 0.249 mgd (peak day) (Docket No. 20140612).

16. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC, Meshoppen Borough, Wyoming County, Pa. Application for renewal of groundwater withdrawal of up to 0.216 mgd (30-day average) from the Meshoppen Pizza Well (Docket No. 20140613).

17. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC (Susquehanna River), Meshoppen Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 1.650 mgd (peak day) (Docket No. 20140614).

18. Project Sponsor and Facility: Togg Mountain LLC, Town of Fabius, Onondaga County, N.Y. Application for consumptive use of up to 0.485 mgd (peak day).

19. Project Sponsor and Facility: Togg Mountain LLC (West Branch of Tioughnioga Creek), Town of Fabius, Onondaga County, N.Y. Application for surface water withdrawal of up to 2.200 mgd (peak day).

20. Project Sponsor and Facility: Town of Vestal, Broome County, N.Y. Application for renewal of groundwater withdrawal of up to 1.440 mgd (30-day average) from Well 4-4 (Docket No. 19810508).

Opportunity To Appear and Comment:

Interested parties may appear at the hearing to offer comments to the Commission on any project or proposal listed above. The presiding officer reserves the right to limit oral statements in the interest of time and to

otherwise control the course of the hearing. Guidelines for the public hearing will be posted on the Commission's website, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement such guidelines at the hearing. Written comments on any project or proposal listed above may also be mailed to Mr. Jason Oyler, General Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through www.srbc.net/pubinfo/publicparticipation.htm. Comments mailed or electronically submitted must be received by the Commission on or before May 21, 2018, to be considered.

Authority: Pub. L. 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: April 6, 2018.

Stephanie L. Richardson,
Secretary to the Commission.

[FR Doc. 2018-07425 Filed 4-10-18; 8:45 am]

BILLING CODE 7040-01-P

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in **DATES**.

DATES: February 1-28, 2018.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel, 717-238-0423, ext. 1312, joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR 806.22(e) and 806.22 (f) for the time period specified above:

Approvals by Rule Issued Under 18 CFR 806.22(f)

1. S.T.L. Resources, LLC, Pad ID: Sturgis Pad, ABR-201802001, Gallagher Township, Clinton County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: February 1, 2018.

2. Chief Oil & Gas, LLC, Pad ID: SGL 12 M NORTH DRILLING PAD, ABR-201802002, Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 2.5000 mgd; Approval Date: February 9, 2018.

3. JKLM Energy, LLC, Pad ID: Judson Hollow 302, ABR-201802003, Pike Township, Potter County, Pa.; Consumptive Use of Up to 3.2000 mgd; Approval Date: February 9, 2018.

4. Inflection Energy (PA), LLC, Pad ID: Brass Well site, ABR-201802004, Upper Fairfield Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: February 21, 2018.

Authority: Pub. L. 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: April 6, 2018.

Stephanie L. Richardson,
Secretary to the Commission.

[FR Doc. 2018-07423 Filed 4-10-18; 8:45 am]

BILLING CODE 7040-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Aeronautical Land Use Assurance, Arlington Municipal Airport, Arlington, WA

AGENCY: Federal Aviation Administration, (FAA), DOT.

ACTION: Notice.

SUMMARY: Notice is being given that the FAA is considering a proposal from the City of Arlington Airport Director to change certain portions of the airport from aeronautical use to non-aeronautical use at Arlington Municipal Airport, Arlington, WA. The proposal consists of approximately 52,500 square feet on the west side of the airfield adjacent to 51st Avenue, Northeast.

DATES: Comments are due within 30 days of the date of the publication of this notice in the **Federal Register**. Written comments can be provided to Ms. Cayla D. Morgan, Environmental Protection Specialist, Seattle Airports District Office, 2200 216th Street, Des Moines, WA 98198.

FOR FURTHER INFORMATION CONTACT: Mr. David M. Ryan, Airport Director, City of Arlington, 18204 59th Avenue NE, Arlington, WA, 98223; or Ms. Cayla D. Morgan, Environmental Protection Specialist, Seattle Airports District Office, 2200 S 216th Street, Des Moines, WA 98198, (206) 231-4130. Documents reflecting this FAA action may be reviewed at the above locations.

SUPPLEMENTARY INFORMATION:

Under the provisions of Title 49, U.S.C. 47153(c), and 47107(h)(2), the FAA is considering a proposal from the Airport Director, City of Arlington, to change a portion of the Arlington Municipal Airport from aeronautical use to non-aeronautical use. The proposal consists of approximately 52,000 square feet on the west side of the airport adjacent to 51st Avenue, Northeast.

The property consists of two oddly shaped triangular section of land that are not large enough to support construction of an aircraft hangar or ramp. It is currently an unused parking area. The airport is proposing an Airport Observation Area for aviation educational purposes. The airport will continue to own the property so there will be no proceeds associated with this release from a land use provision. The FAA concurs that the parcels are no longer needed for aeronautical purposes. The proposed use of this property is compatible with other airport operations in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in **Federal Register** on February 16, 1999.

Issued in Des Moines, Washington, on April 5, 2018.

Mat Wilder,

Acting Manager, Seattle Airports District Office.

[FR Doc. 2018-07476 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

DEPARTMENT OF INTERIOR

National Park Service

List of Units of the National Park System Exempt From the Provisions of the National Parks Air Tour Management Act

AGENCY: Federal Aviation Administration, Transportation; National Park Service, Interior.

ACTION: List of exempt parks.

SUMMARY: The National Parks Air Tour Management Act (NPATMA) requires the Federal Aviation Administration (FAA) and National Park Service (NPS) to develop an air tour management plan for units of the national park system where an operator has applied for authority to conduct commercial air tours. The FAA Modernization and Reform Act of 2012 amended various provisions of NPATMA. One provision exempted national park units with 50 or

fewer annual flights from the requirement to prepare an air tour management plan or voluntary agreement and requires FAA and NPS to jointly publish a list of exempt parks. By **Federal Register** notice, FAA and NPS published an initial list of exempt parks in 2012 and subsequent lists for 2013 through 2015. This notice provides the annual updated list of parks that are exempt.

FOR FURTHER INFORMATION CONTACT:

Keith Lusk—Mailing address: Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261. Telephone: (310) 725-3808. Email address: *Keith.Lusk@faa.gov*. Vicki Ward—Mailing address: Natural Sounds and Night Skies Division, National Park Service, 1201 Oakridge Drive, Suite 100-31, Fort Collins, CO 80525. Telephone: (970) 267-2117. Email address: *Vicki_Ward@nps.gov*.

SUPPLEMENTARY INFORMATION:

I. Authority

1. NPATMA (Pub. L. 106-181, codified at 49 U.S.C. 40128) requires the FAA and NPS to develop an air tour management plan for units of the national park system where an operator has requested authority to provide commercial air tours. The FAA Modernization and Reform Act of 2012 (2012 Act) amended various provisions of NPATMA.

2. This **Federal Register** Notice addresses the following 2012 Act amendment provisions (which are codified at 49 U.S.C. 40128(a)(5)):

a. Exempt national park units that have 50 or fewer commercial air tour operations each year from the requirement to prepare an air tour management plan or voluntary agreement.

b. Authorize NPS to withdraw the exemption if the Director determines that an air tour management plan or voluntary agreement is necessary to protect resources and values or visitor use and enjoyment.

c. Require FAA and NPS to publish a list each year of national parks covered by the exemption.

II. List of Exempt Parks

1. This list is based on the number of commercial air tour operations reported to the FAA and NPS by air tour operators conducting air tours under interim operating authority at national park units in calendar year 2016 for which the total operations was 50 or fewer. Parks on the exempt list are those that have at least one operator who has been granted operating authority to

conduct commercial air tours over that park. Exempt parks are as follows:

Acadia National Park, ME
 Aztec Ruins National Monument, NM
 Big Bend National Park, TX
 Black Canyon of the Gunnison National Park, CO
 Capitol Reef National Park, UT
 Capulin Volcano National Monument, NM
 Carlsbad Caverns National Park, NM
 Casa Grande Ruins National Monument, AZ
 Cedar Breaks National Monument, UT
 Colorado National Monument, CO
 Coronado National Memorial, AZ
 Devils Tower National Monument, WY
 Dinosaur National Monument, UT/CO
 Dry Tortugas National Park, FL
 El Malpais National Monument, NM
 El Morro National Monument, NM
 Everglades National Park, FL
 Fort Bowie National Historic Site, AZ
 Fort Davis National Historic Site, TX
 Fort Union National Monument, NM
 Gila Cliff Dwellings National Monument, NM
 Golden Spike National Historic Site, UT
 Grand Teton National Park, WY
 Great Sand Dunes National Park and Preserve, CO
 Guadalupe Mountains National Park, TX
 Hohokam Pima National Monument, AZ
 Hovenweep National Monument, CO/UT
 Hubbell Trading Post National Historic Site, AZ
 Kings Canyon National Park, CA
 Mesa Verde National Park, CO
 Mojave National Preserve, CA
 Montezuma Castle National Monument, AZ
 Navajo National Monument, AZ
 North Cascades National Park, WA
 Olympic National Park, WA
 Organ Pipe Cactus National Monument, AZ
 Pecos National Historical Park, NM
 Petrified Forest National Park, AZ
 Petroglyph National Monument, NM
 Pipe Spring National Monument, AZ
 Rio Grande Wild and Scenic River, TX
 Saguaro National Park, AZ
 Salinas Pueblo Missions National Monument, NM
 Sequoia National Park, CA
 Sunset Crater Volcano National Monument, AZ
 Timpanogos Cave National Monument, UT
 Tumacacori National Historic Park, AZ
 Tuzigoot National Monument, AZ
 Walnut Canyon National Monument, AZ
 Wupatki National Monument, AZ
 Yellowstone National Park, ID/MT/WY
 Yosemite National Park, CA

Yucca House National Monument, CO
Zion National Park, UT

2. NPS is authorized to withdraw a park from the exempt list if NPS determines that an air tour management plan or voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment. Under this statutory authority, the NPS Director informed the FAA Administrator in writing on September 15, 2015, that NPS withdrew the exemption for Death Valley National Park and Mount Rainier National Park and on November 2, 2017 that NPS withdrew Canyon de Chelly National Monument, Cape Hatteras National Seashore, NC; San Juan Island National Historical Park, WA; and Voyageurs National Park, MN were on the 2015 exempt list but are not on the 2016 exempt list because there is no longer any operator(s) who has applied for operating authority to conduct commercial air tours over those parks.

III. List of Exempt Parks for Future Years

The FAA and NPS will publish a list of exempt parks annually. The list could change from year to year since parks may be added to or removed from the exempt list based on the previous year's number of annual operations. In order to continue to be exempt, a park must have 50 or fewer annual commercial air tour operations in any given calendar year. The list could also change if NPS withdraws an exempted park. NPS is authorized to withdraw a park from the exempt list if NPS determines that an air tour management plan or a voluntary agreement is necessary to protect park resources and values or park visitor use and enjoyment. Pursuant to the 2012 Act, the NPS shall inform the FAA in writing of each determination to withdraw an exemption. At parks that lose exempt status, operators will return to interim operating authority requirements until an air tour management plan or a voluntary agreement has been established.

Issued in Hawthorne, CA on December 4, 2017.

Dennis E. Roberts,

Regional Administrator, Western-Pacific Region, Federal Aviation Administration.

Issued in Washington, DC on December 12, 2017.

Raymond M. Sauvajot,

Associate Director, Natural Resource Stewardship and Science, National Park Service.

Editorial note: This document was received for publication by the Office of the Federal Register on April 5, 2018.

[FR Doc. 2018-07382 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2018-0054]

Request for Comments on the Renewal of a Previously Approved Information Collection: Application for Conveyance of Port Facility Property

AGENCY: Maritime Administration.

ACTION: Notice and request for comments.

SUMMARY: The Maritime Administration (MARAD) invites public comments on our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The information collection is necessary for MARAD to determine whether; the applicant is committed to the redevelopment plan, the plan is in the best interests of the public, and the property will be used in accordance with the terms of the conveyance and applicable statutes and regulations. We are required to publish this notice in the **Federal Register** by the Paperwork Reduction Act of 1995.

DATES: Comments must be submitted on or before June 11, 2018.

ADDRESSES: You may submit comments [identified by Docket No. MARAD-2018-0054] through one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Search using the above DOT docket number and follow the online instructions for submitting comments.

- *Fax:* 1-202-493-2251.

- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Comments are invited on: (a) Whether the proposed collection of information

is necessary for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

FOR FURTHER INFORMATION CONTACT:

Linden Houston, Office of Deepwater Ports and Offshore Activities, Maritime Administration, 1200 New Jersey Avenue SE, Washington, DC 20590; Telephone: (202) 366-4839 or E-Mail: mail to: Linden.Houston@dot.gov. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title: Application for Conveyance of Port Facility Property.

OMB Control Number: 2133-0524.

Type of Request: Renewal of a Previously Approved Information Collection.

Abstract: Public Law 103-160, which is included in 40 U.S.C. 554 authorizes the Department of Transportation to convey to public entities surplus Federal property needed for the development or operation of a port facility. The information collection will allow MARAD to approve the conveyance of property and administer the port facility conveyance program.

Respondents: Eligible state and local public entities.

Affected Public: Eligible state and local public entities.

Estimated Number of Respondents: 13.

Estimated Number of Responses: 13.

Estimated Hours per Response: 44.

Annual Estimated Total Annual Burden Hours: 572.

Frequency of Response: Annually.

(Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.93.)

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By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.

Secretary, Maritime Administration.

[FR Doc. 2018-07506 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD-2018-0040]****Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SERENITY; Invitation for Public Comments****AGENCY:** Maritime Administration.**ACTION:** Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0040. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SERENITY is:

—*Intended Commercial Use Of Vessel:* “Charter 12 Passenger”

—*Geographic Region:* “Illinois”

The complete application is given in DOT docket MARAD-2018-0040 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will

have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. § 55103, 46 U.S.C. § 12121)

* * *

By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07504 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket No. MARAD-2018-0045]****Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SPELLBOUND; Invitation for Public Comments****AGENCY:** Maritime Administration.**ACTION:** Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief

description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0045. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel SPELLBOUND is:

—*Intended Commercial Use of Vessel:* “Would like to use for coastal charter with 6 passengers or less”

—*Geographic Region:* “Florida”

The complete application is given in DOT docket MARAD-2018-0045 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to

www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * *

By Order of the Maritime Administrator.
Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07505 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2018-0042]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel CAPT EASY; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0042. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00

p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION:

As described by the applicant the intended service of the vessel CAPT EASY is:

—Intended Commercial Use of Vessel:

“Half day an full day, 6 passenger fishing charters”

—Geographic Region: “Florida”

The complete application is given in DOT docket MARAD-2018-0042 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * * * *

By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07497 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2018-0051]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel ENVOLEE; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0051. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel ENVOLEE is:

—Intended Commercial Use of Vessel:
“skipped, recreational sailing charters”

—Geographic Region: “California”

The complete application is given in DOT docket MARAD–2018–0051 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * *

By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–07500 Filed 4–10–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0041]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel FUNSEEKER; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD–2018–0041. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23–453, Washington, DC 20590. Telephone 202–366–9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel FUNSEEKER is:

—*Intended Commercial Use of Vessel:* “Charter boat”
—*Geographic Region:* “Illinois, California, Florida”

The complete application is given in DOT docket MARAD–2018–0041 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and

MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL–14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * *

By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018–07502 Filed 4–10–18; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD–2018–0043]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel ANNE BONNY; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request

for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0043. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel ANNE BONNY is:

—Intended Commercial Use of Vessel: “Carriage of 6 or fewer passengers for hire. Sail and seamanship training.”
—Geographic Region: “Wisconsin, Michigan, Indiana and Illinois”

The complete application is given in DOT docket MARAD-2018-0043 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from

the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

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By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07496 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2018-0052]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel FEARLESS; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0052. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for

inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel FEARLESS is:

—Intended Commercial Use of Vessel:

“The vessel will be chartered for up to six passengers to participate in sailboat racing.”

—Geographic Region: “Illinois, Wisconsin, Michigan and Indiana”

The complete application is given in DOT docket MARAD-2018-0052 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact

the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * * * *

By Order of the Maritime Administrator.
Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07501 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2018-0039]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel ABLE ONE; Invitation for Public Comments

AGENCY: Maritime Administration.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0039. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel ABLE ONE is:

—*Intended Commercial Use of Vessel:* “6 passenger charter fishing”

—*Geographic Region:* “Florida, Alabama, Mississippi, Louisiana”

The complete application is given in DOT docket MARAD-2018-0039 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * * * *

By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07495 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2018-0053]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel R and R; Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0053. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel R and R is:

—*Intended Commercial Use of Vessel:* “Sightseeing”

—*Geographic Region:* “Alaska (excluding waters in Southeastern Alaska)”

The complete application is given in DOT docket MARAD-2018-0053 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and

MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * *

By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07503 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2018-0038]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel CHILLIN'; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws

under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-0038. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel CHILLIN' is:

—*Intended Commercial Use of Vessel:*

“Day and overnight charters, not to exceed 6 passengers, inland waters of Puget Sound and San Juan Islands.”

—*Geographic Region:* “Washington State”

The complete application is given in DOT docket MARAD-2018-0038 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * *

By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07498 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2018-0044]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel DESPERADO; Invitation for Public Comments

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before May 11, 2018.

ADDRESSES: Comments should refer to docket number MARAD-2018-X0044. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE,

Washington, DC 20590. You may also send comments electronically via the internet at <http://www.regulations.gov>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel DESPERADO is:

—*Intended Commercial use of Vessel:* “I had my boat rental business wiped out by Irma. I’m trying to re-invent myself as a dive charter, snorkel, sunset cruise, dolphin encounter business. I have sunk every cent that I have into the purchase of this boat in order to try and make a living. I’m desperate at this point and if I can’t register this boat here in Florida I will lose my slip at this marina and I will be forced to file for bankruptcy. this is my only shot at survival”
—*Geographic Region:* “Florida”

The complete application is given in DOT docket MARAD-2018-0044 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD’s regulations at 46 CFR part 388.

Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-

14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * * * *

By Order of the Maritime Administrator.

Dated: April 6, 2018.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2018-07499 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket Number NHTSA 2018-0001]

Reports, Forms, and Recordkeeping Requirements

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

ACTION: Notice of information collection; request for comment.

SUMMARY: DOT invites public comments about our intention to request the Office of Management and Budget (OMB) approval to reinstate a currently approved information collection. Before a Federal agency can collect certain information from the public, it must receive approval from the OMB. Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

DATES: Send comments on or before June 11, 2018.

ADDRESSES: You may submit comments, identified by [Docket No. NHTSA-2018-0001] by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 1-202-493-2251.
- *Mail or Hand Delivery:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey

Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

FOR FURTHER INFORMATION CONTACT:

LeErnest Wells, Program Support Division, Office of Defect Investigation (NEF-110), (202) 366-9717, National Highway Traffic Safety Administration, Department of Transportation, 1200 New Jersey Avenue SE, W43-481, Washington, DC 20590. Please identify the relevant collection of information by referring to its OMB Control Number.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995, before an agency submits a proposed collection of information to OMB for approval, it must first publish a document in the **Federal Register** providing a 60-day comment period and otherwise consult with members of the public and affected agencies concerning each proposed collection of information. The OMB has promulgated regulations describing what must be included in such a document. Under OMB’s regulation at 5 CFR 1320.8(d), an agency must ask for public comment on the following:

(i) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) how to enhance the quality, utility, and clarity of the information to be collected;

(iv) how to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

In compliance with these requirements, NHTSA asks for public comments on the following proposed collections of information:

Title of Collection: Record Retention.

OMB Control Number: 2127-0042.

Type of Request: Reinstatement of a currently approved information collection¹

Abstract: Under 49 U.S.C. Section 30166(e), NHTSA “reasonably may require a manufacturer of a motor

¹ The approval for this collection expires on April 30, 2018. Because NHTSA will not be able to submit a request for renewal of this collection to OMB by that date, we are requesting that OMB reinstate this collection.

vehicle or motor vehicle equipment to keep records, and a manufacturer, distributor or dealer to make reports, to enable NHTSA to decide whether the manufacturer, distributor, or dealer has complied or is complying with this chapter or a regulation prescribed under this chapter.” To ensure that NHTSA will have access to this type of information, the agency exercised the authority granted in 49 U.S.C. Section 30166(e) and promulgated 49 CFR part 576 Record Retention, initially published on August 20, 1974 and most recently amended on July 10, 2002 (67 FR 45873), requiring manufacturers to retain one copy of all records that contain information concerning malfunctions that may be related to motor vehicle safety for a period of five calendar years after the record is generated or acquired by the manufacturer. Manufacturers are also required to retain for ten years (five years for manufacturers of child seats and tires) the underlying records related to early warning reporting (EWR) information submitted under 49 CFR part 579. The information collected supports the Department’s Strategic goal of safety.

Affected Public: Manufacturers.

Estimated Number of Respondents: 1020.

Frequency: As needed.

Number of Responses: 1000.

Estimated Total Annual Burden Hours: 40,020.

Estimated Total Annual Burden Cost: \$804,000.

Comments are invited on: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for the Department’s performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB’s clearance of this information collection.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Chapter 35, as amended; and 49 CFR 1.48.

Jeffrey M. Giuseppe,

Associate Administrator for Enforcement.

[FR Doc. 2018-07420 Filed 4-10-18; 8:45 am]

BILLING CODE 4910-59-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2017-0101; Notice 1]

AGC Glass Company North America, Receipt of Petition for Decision of Inconsequential Noncompliance

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

ACTION: Receipt of petition.

SUMMARY: AGC Glass Company North America (d.b.a. AGC Automotive Americas Co. “AGC”), has determined that certain rear privacy glass manufactured as replacement glass for certain model year (MY) 2013–2017 Jeep Compass motor vehicles does not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 205, *Glazing Materials*. AGC filed a noncompliance report dated October 13, 2017. AGC also petitioned NHTSA on November 8, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

DATES: The closing date for comments on the petition is May 11, 2018.

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.
- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy

form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the internet at <https://www.regulations.gov> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT’s complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477–78).

SUPPLEMENTARY INFORMATION:

I. Overview: AGC, has determined that certain rear privacy glass manufactured as replacement glass for certain MY 2013–2017 Jeep Compass motor vehicles does not fully comply with FMVSS No. 205, *Glazing Materials* (49 CFR 571.205). AGC filed a noncompliance report dated October 13, 2017, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. AGC also petitioned NHTSA on November 8, 2017, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of AGC’s petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

II. Equipment Involved: Approximately 5,000 replacement privacy glass parts manufactured for replacement of the rear liftgate glass in

certain MY 2013–2017 Jeep Compass motor vehicles and manufactured between January 16, 2013, and June 30, 2017, are potentially involved.

III. Noncompliance: AGC explains that the noncompliance is that the subject rear privacy glass parts do not fully comply with paragraph S6 of FMVSS No. 205. Specifically, the replacement rear privacy glass has the AS2 (solar glazing) marking when it should have been marked with the AS3 (privacy glazing) marking.

IV. Rule Requirements: Paragraphs S6, S6.1(a)(b), S6.2, and S6.3(a)(b) of FMVSS No. 205 include the requirements relevant to this petition:

- A Prime glazing material manufacturer must certify, in accordance with 49 U.S.C. 30115, each piece of glazing material to which this standard applies is designed as:

- A. a component of any specific motor vehicle or camper; or
- B. to be cut into components for use in motor vehicles or items of motor vehicle equipment.

- A prime glazing manufacturer certifies its glazing by adding to the marks required by section 7 of ANSI/SAE Z26.1–1996, in letters and numerals of the same size, the symbol “DOT” and a manufacturer’s code mark that NHTSA assigns to the manufacturer.

- NHTSA will assign a code mark to a manufacturer after the manufacturer submits a written request to the Office of Vehicle Safety Compliance, National Highway Traffic Safety Administration. The request must include the company name, address, and a statement from the manufacturer certifying its status as a prime glazing manufacturer as defined in paragraph S4.

- A manufacturer or distributor who cuts a section of glazing material to which this standard applies, for use in a motor vehicle or camper, must:

- A. mark that material in accordance with section 7 of ANSI/SAE Z26.1–1996; and
- B. certify that its product complies with this standard in accordance with 49 U.S.C. 30115.

V. Summary of AGC’s Petition: AGC states that after discovering this inadvertent error, AGC launched an investigation internally and with its core customers who may have received parts with this incorrect “AS2” logo mark to determine if this error occurred on more than one occasion and if the parts had been introduced into the stream of commerce. AGC performed testing on the parts it had in its possession that were not shipped to any customer to confirm the glass met all other FMVSSs. The glass met those

standards. In addition, AGC’s primary customer for these parts, conducted its own testing of parts that it had in their possession with the incorrect “AS2” mark in the logo. Those tests also confirmed that the AGC parts with the incorrect “AS2” mark met all other required standards. The only error was including the “AS2” mark rather than the correct “AS3” mark in the logo. Thereafter, AGC and its customers went through an investigation on how many of these parts with the incorrect logo may have been shipped and/or used for replacement glass, and whether a Notice of Noncompliance had to be filed with NHTSA as a result. Following this investigation and numerous meetings with the customers, AGC determined that parts with the incorrect “AS2” mark had been shipped and installed in vehicles and that a Notice of Noncompliance Report had to be filed with NHTSA.

AGC described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, AGC submitted the following reasoning:

1. *The only error in the logo mark was including the incorrect “AS2” standard. The logo and the parts were otherwise fully compliant.* All other information was correct. The “AS3” mark relates to meeting certain light transmission requirements for privacy glass. The glass met those requirements as confirmed by both AGC and its primary customer, FCA US LLC. The glass also met all other applicable Federal Motor Vehicle Safety Standards. This error did not change the character of the glass or its performance. It was a simple marking error and will not in any way impact or affect motor vehicle safety. AGC produced up to 5,000 parts to be installed as replacement glass over the relevant time period. As soon as AGC found the potential error, it was immediately corrected by replacing the print screen that included the incorrect “AS2” mark and instead using a print screen which included the correct “AS3” mark in the logo. No parts are produced today for these model vehicles for replacement glass without the correct “AS3” mark in the logo. All parts which AGC had in its possession and which were confirmed a customer still had that were not already installed were destroyed or returned to AGC.

There is nothing that would affect or impact vehicle safety resulting from this erroneous “AS2” mark being included in the logo and this error should be classified as inconsequential to motor vehicle safety.

2. *The logo error will not mislead or affect consumers.* Consumers would never look at a logo and know or understand that privacy glass with an “AS2” logo should have an “AS3” mark instead in that logo. Only someone trained in the intricate requirements of ANSI and the differences in light transmission between a part meeting the “AS3” standard versus a part meeting the “AS2” standard would know whether including the “AS2” mark was an error or not. Therefore, the fact there are vehicles on the road which have the incorrect “AS2” mark in the logo will not be misleading nor should it require any of those parts to be replaced, since the consumer will not know the difference, will not be misled by looking at the logo mark for this part, there will be no confusion about the performance or compliance of the parts with all applicable FMVSSs, and the error does not affect the safety of the vehicle. Every consumer that had their rear lift gate replaced with privacy glass that included the logo with the incorrect “AS2” mark still has exactly what they expected to receive and paid for regardless of this error—rear privacy glass for their Jeep Compass that does not pose any safety risk to them or others who may ride on their vehicle.

AGC concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

AGC’s complete petition and all supporting documents are available by logging onto the Federal Docket Management System (FDMS) website at: <https://www.regulations.gov> and following the online search instructions to locate the docket number listed in the title of this notice.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject privacy glass parts that AGC no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale,

or introduction or delivery for introduction into interstate commerce of the noncompliant privacy glass parts under their control after AGC notified them that the subject noncompliance existed.

Related Submissions: FCA US LLC (FCA US) also filed an inconsequential noncompliance petition with NHTSA for 287,064 MY 2013–2017 Jeep Compass motor vehicles, which were equipped and offered for sale with noncompliant privacy glass produced by AGC. Refer to Docket No. NHTSA–2017–0098.

Authority: (49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Claudia Covell,

Acting Director, Office of Vehicle Safety Compliance.

[FR Doc. 2018–07421 Filed 4–10–18; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

FEDERAL RESERVE SYSTEM

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Submission for OMB Review; Joint Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); and Federal Deposit Insurance Corporation (FDIC).

ACTION: Joint notice and request for comment.

SUMMARY: In accordance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the OCC, the Board, and the FDIC (the agencies) may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. On November 8, 2017, the agencies, under the auspices of the Federal Financial Institutions Examination Council (FFIEC), requested public comment for 60 days on a proposal to revise the Consolidated Reports of Condition and Income for a Bank with Domestic and Foreign Offices (FFIEC 031), the Consolidated Reports of Condition and Income for a Bank with Domestic Offices Only (FFIEC 041), and the Consolidated Reports of Condition and Income for a Bank with

Domestic Offices Only and Total Assets Less than \$1 Billion (FFIEC 051) (November 2017 notice), which are currently approved collections of information. The Consolidated Reports of Condition and Income are commonly referred to as Call Reports. The proposed revisions to the FFIEC 031, FFIEC 041, and FFIEC 051 Call Reports would result in an overall reduction in burden. These reporting revisions consist of the deletion or consolidation of a large number of items and the addition of a new or increases in certain existing reporting thresholds.

The comment period for the November 2017 notice ended on January 8, 2018. As described in the **SUPPLEMENTARY INFORMATION** section, after considering the comments received on the proposal, the FFIEC and the agencies will proceed with the proposed reporting revisions to the FFIEC 031, FFIEC 041, and FFIEC 051 as originally proposed. The proposed revisions would take effect as of the June 30, 2018, report date.

In addition, the agencies are giving notice that they are sending the collection to OMB for review.

DATES: Comments must be submitted on or before May 11, 2018.

ADDRESSES: Interested parties are invited to submit written comments to any or all of the agencies. All comments, which should refer to the OMB control number(s), will be shared among the agencies.

OCC: Commenters are encouraged to submit comments by email, but you may submit comments by any of the following methods:

- **Email:** prainfo@occ.treas.gov.
- **Mail:** Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557–0081, 400 7th Street SW, Suite 3E–218, Washington, DC 20219.
- **Hand Delivery/Courier:** 400 7th Street SW, Suite 3E–218, Washington, DC 20219.

Instructions: You must include “OCC” as the agency name and “1557–0081” in your comment. In general, the OCC will publish them on www.reginfo.gov without change, including any business or personal information that you provide, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by any of the following methods:

- **Viewing Comments Electronically:** Go to www.reginfo.gov. Click on the “Information Collection Review” tab. Underneath, the “Currently under Review” section heading, from the drop-down menu, select “Department of Treasury” and then click “submit.” This information collection can be located by searching by OMB control number “1557–0081” or “FFIEC 031, FFIEC 041, and FFIEC 051.” Upon finding the appropriate information collection, click on the related “ICR Reference Number.” On the next screen, select “View Supporting Statement and Other Documents” and then click on the link to any comment listed at the bottom of the screen.

- For assistance in navigating www.reginfo.gov, please contact the Regulatory Information Service Center at (202) 482–7340.

- **Viewing Comments Personally:** You may personally inspect and photocopy comments at the OCC, 400 7th Street SW, Washington, DC. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649–6700 or, for persons who are deaf or hearing impaired, TTY, (202) 649–5597. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect and photocopy comments.

Board: You may submit comments, which should refer to “FFIEC 031, FFIEC 041, and FFIEC 051,” by any of the following methods:

- **Agency website:** <http://www.federalreserve.gov>. Follow the instructions for submitting comments at: <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.
- **Email:** regs.comments@federalreserve.gov. Include the reporting form numbers in the subject line of the message.
- **Fax:** (202) 452–3819 or (202) 452–3102.

- **Mail:** Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments are available from the Board’s website at www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or

contact information. Public comments may also be viewed electronically or in paper form in Room 3515, 1801 K Street NW (between 18th and 19th Streets NW), Washington, DC 20006 between 9:00 a.m. and 5:00 p.m. on weekdays.

FDIC: You may submit comments, which should refer to “FFIEC 031, FFIEC 041, and FFIEC 051,” by any of the following methods:

- **Agency website:** <https://www.fdic.gov/regulations/laws/federal/>. Follow the instructions for submitting comments on the FDIC’s website.

- **Email:** comments@FDIC.gov. Include “FFIEC 031, FFIEC 041, and FFIEC 051” in the subject line of the message.

- **Mail:** Manuel E. Cabeza, Counsel, Attn: Comments, Room MB-3007, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

- **Hand Delivery:** Comments may be hand delivered to the guard station at the rear of the 550 17th Street Building (located on F Street) on business days between 7:00 a.m. and 5:00 p.m.

Public Inspection: All comments received will be posted without change to <https://www.fdic.gov/regulations/laws/federal/> including any personal information provided. Paper copies of public comments may be requested from the FDIC Public Information Center by telephone at (877) 275-3342 or (703) 562-2200.

Additionally, commenters may send a copy of their comments to the OMB desk officer for the agencies by mail to the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503; by fax to (202) 395-6974; or by email to oira_submission@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: For further information about the proposed revisions to the Call Report discussed in this notice, please contact any of the agency staff whose names appear below. In addition, copies of the Call Report forms can be obtained at the FFIEC’s website (https://www.ffiec.gov/ffiec_report_forms.htm).

OCC: Kevin Korzeniewski, Counsel, Legislative and Regulatory Activities Division, (202) 649-5490, or for persons who are hearing impaired, TTY, (202) 649-5597.

Board: Nuha Elmagrabi, Federal Reserve Board Clearance Officer, (202) 452-3884, Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may call (202) 263-4869.

FDIC: Manuel E. Cabeza, Counsel, (202) 898-3767, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION: The agencies propose revisions to data items reported on the FFIEC 031, FFIEC 041, and FFIEC 051 Call Reports.

Report Title: Consolidated Reports of Condition and Income (Call Report).

Form Numbers: FFIEC 031 (for banks and savings associations with domestic and foreign offices), FFIEC 041 (for banks and savings associations with domestic offices only), and FFIEC 051 (for banks and savings associations with domestic offices only and total assets less than \$1 billion).

Frequency of Response: Quarterly.

Affected Public: Business or other for-profit.

OCC

OMB Control No.: 1557-0081.

Estimated Number of Respondents: 1,269 national banks and federal savings associations.

Estimated Average Burden per Response: 45.83 burden hours per quarter to file.

Estimated Total Annual Burden: 232,633 burden hours to file.

Board

OMB Control No.: 7100-0036.

Estimated Number of Respondents: 819 state member banks.

Estimated Average Burden per Response: 49.93 burden hours per quarter to file.

Estimated Total Annual Burden: 163,571 burden hours to file.

FDIC

OMB Control No.: 3064-0052.

Estimated Number of Respondents: 3,633 insured state nonmember banks and state savings associations.

Estimated Average Burden per Response: 43.83 burden hours per quarter to file.

Estimated Total Annual Burden: 636,938 burden hours to file.

The proposed burden-reducing revisions to the Call Reports are the result of an ongoing effort by the agencies to reduce the burden associated with their preparation and filing and, as detailed in Appendices B, C, and D, would achieve burden reductions by removing or consolidating numerous items, and by adding a new or raising certain existing reporting thresholds.

The estimated average burden hours for each agency collectively reflect the estimates for the FFIEC 031, the FFIEC 041, and the FFIEC 051 reports. When the estimates are calculated by type of

report across the agencies, the estimated average burden hours per quarter are 122.38 (FFIEC 031), 55.35 (FFIEC 041), and 37.94 (FFIEC 051). The burden hours for the currently approved reports are 123.06 (FFIEC 031), 57.71 (FFIEC 041), and 39.38 (FFIEC 051),¹ so the revisions in this notice would represent a reduction in estimated average burden hours per quarter by 0.68 (FFIEC 031), 2.36 (FFIEC 041), and 1.44 (FFIEC 051). The estimated burden per response for the quarterly filings of the Call Report is an average that varies by agency because of differences in the composition of the institutions under each agency’s supervision (e.g., size distribution of institutions, types of activities in which they are engaged, and existence of foreign offices).

Type of Review: Revision and extension of currently approved collections.

General Description of Reports

These information collections are mandatory pursuant to 12 U.S.C. 161 (for national banks), 12 U.S.C. 324 (for state member banks), 12 U.S.C. 1817 (for insured state nonmember commercial and savings banks), and 12 U.S.C. 1464 (for federal and state savings associations). At present, except for selected data items and text, these information collections are not given confidential treatment.

Abstract

Institutions submit Call Report data to the agencies each quarter for the agencies’ use in monitoring the condition, performance, and risk profile of individual institutions and the industry as a whole. Call Report data serve a regulatory or public policy purpose by assisting the agencies in fulfilling their shared missions of ensuring the safety and soundness of financial institutions and the financial system and the protection of consumer financial rights, as well as agency-specific missions affecting federal and state-chartered institutions, such as conducting monetary policy, ensuring financial stability, and administering federal deposit insurance. Call Reports are the source of the most current statistical data available for identifying areas of focus for on-site and off-site examinations. Among other uses, the agencies use Call Report data in evaluating institutions’ corporate applications, including, in particular, interstate merger and acquisition applications for which the agencies are required by law to determine whether the resulting institution would control

¹ See 83 FR 939 (January 8, 2018).

more than 10 percent of the total amount of deposits of insured depository institutions in the United States. Call Report data also are used to calculate institutions' deposit insurance and Financing Corporation assessments and national banks' and federal savings associations' semiannual assessment fees.

Current Actions

I. Introduction

On November 8, 2017, the agencies requested comment for 60 days on a proposal to revise the existing Call Report requirements.² The proposed revisions in the November 2017 notice, as well as the creation of the FFIEC 051 and other recent revisions to the FFIEC 031 and FFIEC 041, are the result of a formal initiative launched by the FFIEC in December 2014 to identify potential opportunities to reduce burden associated with Call Report requirements for community institutions. The most significant actions under this initiative are community institution outreach efforts, internal surveys of users of Call Report data at FFIEC member entities, and the implementation of a streamlined Call Report for small institutions. A summary of the FFIEC member entities' uses of the data items retained in the Call Report schedules subject to the reporting revisions in this proposal is included in Appendix A, which is repeated from the November 2017 notice. Additional information about the initiative can be found in the November 2017 notice and five earlier notices related to actions taken under this initiative.³

The comment period for the November 2017 notice ended on January 8, 2018. General comments on the notice are summarized in Section II. In Section III, the agencies provide more details on the comments received. Section IV discusses the timing for implementing the proposed revisions to the Call Report.

II. General Comments on the Proposed Call Report Revisions

The agencies collectively received comments on the proposal from five entities, including banking organizations and a trade association. General comments and recommendations on the proposal and the overall burden-reduction initiative are included in this section. Comments

with specific recommendations to revise the Call Reports are addressed in Section III.

A. General Comments on the Proposal and the Overall Burden-Reduction Initiative

Commenters expressed varying opinions on the November 2017 notice and the agencies' Call Report burden-reduction initiatives to date. Two commenters supported the effort put forth by the agencies. One commenter "strongly support[s] the FFIEC's ongoing work to reform the Call Report, an ongoing project that is yielding important value for supervision as well as for successful bank management." The other commenter "commends" the agencies' initiative and encourages continued efforts to ease the burden on small community banks.

On the other hand, one commenter asserted that the proposed revisions to the Call Reports would not have any impact on the banking organization's reporting.

The agencies recognize that not all institutions would see an immediate and large reduction in burden from the proposed revisions in the November 2017 notice. However, consolidating existing data items into fewer data items and adding or increasing reporting thresholds would generally result in institutions spending less time completing the Call Report since there would be fewer items to review prior to each quarterly submission. Also, an institution would have fewer instructions to review to determine whether it has reportable (nonzero) amounts. To the extent that an institution currently tracks granular data items for internal reporting purposes that are proposed to be consolidated in the Call Report, there may be limited burden relief from consolidating the items. However, institutions that currently track data at an aggregate level for internal reporting purposes and then must allocate that amount to the existing subcategories in the Call Report every quarter would see additional burden relief. Accordingly, the agencies believe the changes proposed in the November 2017 notice offer meaningful Call Report burden relief to many institutions.

B. General Recommendations From Commenters

One commenter offered a number of recommendations to improve the revision and preparation of the Call Report. Regarding the revision process, the commenter recommended that the agencies conduct an internal user survey covering every item in the Call

Report at least once every two years, conduct a review for potentially obsolete items at least annually, and continue to improve the clarity and usability of Call Report instructions. The agencies currently conduct the user survey as the foundation for a review of all Call Report data items they are required to conduct every five years.⁴ The full survey is an involved process requiring significant agency resources from all lines of business. For the statutorily mandated review of the Call Report completed in 2017, the full survey spanned a 19-month period. Accordingly, the agencies must balance the use of their resources for this effort compared with other efforts to improve supervision and reduce burden for institutions.

With respect to the clarity and usability of the Call Report instructions, the agencies agree with the commenter that making the instructions clearer and providing examples of how to calculate amounts that may be more complex to report contribute to burden relief. The agencies welcome suggestions from bankers, industry associations, and others for specific improvements to and clarifications of the existing instructions, including where examples would be helpful. Input from these stakeholders and from agency examination staff has led to instructional improvements in the past and the agencies will continue to address specific suggestions for instructional improvements. The commenter also cited the benefits of hyperlinks to the rule or guidance on which particular instructions are based. The agencies have added hyperlinks to certain cited documents in the two sets of Call Report instructions.⁵ Going forward, the agencies will endeavor to use clearer language and expect to continue inserting hyperlinks when issuing new or updated Call Report instructions.

The commenter also recommended that the agencies only propose revisions to the Call Report once a year, make those changes effective starting in the quarter ending March 31, and finalize those changes by the prior September 30 to allow banks sufficient lead time to implement the revisions. Prior to the recent revisions to streamline the Call Report, the agencies typically followed a schedule of making revisions only once per year, with the changes generally becoming effective for the

² See 82 FR 51908 (November 8, 2017).

³ See 80 FR 56539 (September 18, 2015), 81 FR 45357 (July 13, 2016), 81 FR 54190 (August 15, 2016), 82 FR 2444 (January 9, 2017), and 82 FR 29147 (June 27, 2017).

⁴ See Section 604 of the Financial Services Regulatory Relief Act of 2006.

⁵ One set of Call Report instructions applies to the FFIEC 031 and FFIEC 041 reports and another set of instructions applies to the FFIEC 051 report.

March 31 report. The agencies plan to return to an annual schedule for future revisions that would be effective starting with the March 31 report, unless the revisions must be implemented at a different time due to changes in statute, regulation, or accounting standards.

The same commenter recommended that the FFIEC establish an industry advisory committee to develop advice and guidance on the Call Report, establish a regular process to address technical questions and changes to the Call Report, and provide training related to preparing the Call Report. The agencies plan to continue to offer outreach in connection with significant revisions to the Call Report, as they did with the adoption of the revised Schedule RC–R, Regulatory Capital, and the implementation of the FFIEC 051. The agencies also receive and respond to a number of reporting questions from individual institutions each quarter. Issues that could affect multiple institutions are often addressed through the Call Report Supplemental Instructions published quarterly or updates to the Call Report instruction books published as needed. Consistent with the PRA, the agencies also offer an opportunity for members of the banking industry to comment on proposed changes to the Call Report or to make any additional suggestions for improving, streamlining, or clarifying instructions to the Call Report.

The commenter also recommended that the agencies align the proposed revisions to the Call Report with revisions to the Board's FR Y–9C report for holding companies⁶ and conduct a holistic review of other regulatory reports under the agencies' authority that rely on data collected in the Call Report. The commenter stated that having differences in reporting between the Call Report and FR Y–9C can create burden for reporting firms. The agencies agree that aligning proposed revisions to the Call Report with proposed revisions to comparable data items collected in the FR Y–9C report would reduce burden for reporting holding companies.⁷ The Board has approved burden-reducing revisions to the FR Y–9C that align with corresponding burden-reducing revisions that were effective with the March 31, 2017, Call

Report.⁸ These FR Y–9C revisions will become effective as of the March 31, 2018, reporting date. The Board also has proposed revisions to the FR Y–9C⁹ that align with the corresponding revisions to the Call Report that the banking agencies proposed in June 2017.¹⁰ These revisions are proposed to become effective as of the March 31, 2018, and June 30, 2018, reporting dates for both the FR Y–9C and Call Report. Further, the Board will take this comment into consideration when it develops additional proposed revisions to the FR Y–9C report consistent with other comparable revisions proposed for the Call Report. In addition to the FR Y–9C, the agencies will consider reviewing how data from the Call Report are used in other agency reports to identify possible efficiencies as part of a holistic review.

Furthermore, the agencies will consider reviewing existing instructions to other regulatory reports to identify opportunities to enhance uniformity in reporting guidance. In this regard, the agencies have already proposed revisions to the FFIEC 002 report that would align with corresponding revisions that have been implemented or proposed for the Call Report.¹¹ Similarly, in the proposed new FFIEC 016 report that would replace the separate, but identical, agency stress test reports,¹² the agencies have proposed revisions to certain data items in this new report that align with corresponding Call Report revisions that have been implemented or proposed.

The commenter further recommended that the agencies increase the asset-size threshold for filing the FFIEC 051 Call Report from the current \$1 billion to at least \$10 billion, indexed for inflation. Raising the threshold to \$10 billion or higher at this time could result in a significant loss of data necessary for supervisory or other purposes from institutions with assets of \$1 billion or more. Therefore, the agencies are not adopting this recommendation at this time, but will continue to evaluate the appropriate scope and criteria for expanding the number of institutions eligible to file the FFIEC 051.

III. Specific Recommendations To Revise the Call Report

One commenter requested the agencies eliminate certain deposit items in Schedule RC–E by combining items for deposits with balances less than \$100,000 and those with balances of \$100,000 through \$250,000 into a single item. Separate reporting of time deposits with balances less than \$100,000 in Schedule RC–E, including certain Memorandum items to adjust that amount, is tied to the Board's measurement of the money supply.¹³ If the Board were to decide to revise the definition of the money supply so that the \$100,000 items in Schedule RC–E are no longer necessary for the calculation, then the agencies would reevaluate whether to consolidate those items on the Call Report.

One commenter recommended that the agencies add a new loan item to Schedule RC–C, Part I, to enable institutions to report non-speculative 1–4 family residential construction loans to consumers separately from other 1–4 family residential construction loans.¹⁴ The commenter made this recommendation because the loan mix index used in the FDIC's deposit insurance assessment rate determination for small institutions treats all construction and development loans in the same manner. According to the commenter, consumer 1–4 family residential construction loans have lower charge-off rates than other types of construction and development loans, which penalizes institutions that hold significant amounts of such consumer construction loans in terms of their assessment rates. However, the addition to Schedule RC–C, Part I, of the recommended new construction loan category would not alter the assessment rate determination. Absent the segregation by the FDIC of consumer 1–4 family residential construction loans from other construction loans in the loan mix index in the FDIC's deposit insurance assessments regulations (12 CFR part 327), the agencies do not plan to add a new category for reporting such loans in Schedule RC–C, Part I.

After considering these specific comments, as well as the comments received on the overall proposal and the burden-reduction initiative that were discussed in Section II above, the

⁶ See 83 FR 2985 (January 22, 2018).

⁷ See 83 FR 123 (January 2, 2018).

⁸ See 82 FR 29147 (June 27, 2017).

⁹ Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks (FFIEC 002). See 82 FR 61294 (December 27, 2017).

¹⁰ Annual Dodd-Frank Act Company-Run Stress Test Report for Depository Institutions and Holding Companies with \$10–\$50 Billion in Total Consolidated Assets (FFIEC 016). See 82 FR 46887 (October 6, 2017) and 83 FR 8149 (February 23, 2018).

¹¹ See definition of M2, https://www.federalreserve.gov/faqs/money_12845.htm. Also see 82 FR 2452 (January 9, 2017) for the agencies' previous response to a similar comment.

¹² All 1–4 family residential construction loans are reported in Schedule RC–C, Part I, item 1.a.(1). Other construction loans and all land development and other land loans are reported in Schedule RC–C, Part I, item 1.a.(2).

⁶ Consolidated Financial Statements for Holding Companies, OMB No. 7100–0128.

⁷ Although all insured depository institutions must file Call Reports, not all such institutions are owned or controlled by a holding company. Furthermore, the FR Y–9C report is filed only by top-tier holding companies with total consolidated assets of \$1 billion or more and top-tier holding companies meeting certain criteria, regardless of size.

agencies will proceed with the proposed burden-reducing changes to Call Report schedules proposed in the November 2017 notice. The agencies recognize that not every proposed change will reduce burden for every institution. However, the agencies believe that the proposed changes will reduce burden in the Call Reports as a whole, which is also reflected in a reduction in the estimated burden hours per quarter for the Call Reports.

IV. Timing

Subject to OMB approval, the effective date for the implementation of the proposed revisions to the FFIEC 031, FFIEC 041, and FFIEC 051 would be June 30, 2018. When implementing the burden-reducing Call Report revisions as of the June 30, 2018, report date, institutions may provide reasonable estimates for any new or revised Call Report data item initially required to be reported as of that date for which the requested information is not readily available. The specific wording of the captions for the new or revised Call Report data items discussed in this proposal and the numbering of these data items is subject to change.

V. Request for Comment

Public comment is requested on all aspects of this joint notice. Comment is specifically invited on:

(a) Whether the proposed revisions to the collections of information that are the subject of this notice are necessary for the proper performance of the agencies' functions, including whether the information has practical utility;

(b) The accuracy of the agencies' estimates of the burden of the information collections as they are proposed to be revised, including the validity of the methodology and assumptions used;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of information collections on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Comments submitted in response to this joint notice will be shared among the agencies. All comments will become a matter of public record.

Appendix A

Summary of the FFIEC Member Entities' Uses of the Data Items in the Call Report Schedules in the Portion of the User Surveys Evaluated in the Development of This Proposal

Schedule RI-A (Changes in Bank Equity Capital)

Schedule RI-A collects detailed information about specified categories of changes in an institution's equity capital during the calendar year to date. In general, these categories are aligned with categories typically reported on a basic statement of changes in equity in a set of financial statements prepared under U.S. generally accepted accounting principles (GAAP).

The FFIEC member entities' examiners use the Schedule RI-A information in their off-site reviews to identify and understand the sources of any significant changes in an institution's capital accounts. Information on dividends declared as a percentage of net income reveals the extent to which capital is being augmented through earnings retention, which is the principal source of capital for most institutions. The banking agencies may be aware of some capital transactions reported in Schedule RI-A due to licensing requirements. However, for many other transactions directly affecting capital such as dividends declared and transactions with a parent holding company, Schedule RI-A may be the only source of information on changes in capital aside from an on-site examination. Even for capital transactions that require prior agency approval, the information reported in Schedule RI-A serves as confirmation that the institution successfully completed the transaction (such as issuing new stock or redeeming existing preferred stock). The agencies also use the information on this schedule as a starting point for reviewing compliance with statutory or regulatory restrictions on dividends or holding company transactions.

The FDIC uses data items from Schedule RI-A in its estimates of losses from failures of insured depository institutions, which affects the FDIC's loss reserve and the resulting level of the balance in the Deposit Insurance Fund.

Schedule RI-C (Disaggregated Data on the Allowance for Loan and Lease Losses) [FFIEC 031 and FFIEC 041 Only]

Schedule RI-C provides information on the components of the allowance for loan and lease losses (ALLL) by loan category disaggregated on the basis of a reporting institution's impairment measurement method and the related recorded investment in loans (and, as applicable, leases) held for investment for institutions with \$1 billion or more in total assets. The information required to be reported in Schedule RI-C is consistent with disclosures required under existing U.S. GAAP in Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) paragraphs 310-10-50-11B(g) and (h).

By providing this level of detail on an individual institution's overall ALLL, which supports the identification of changes in its components over time, examiners can better

perform off-site monitoring of activity within the ALLL in periods between examinations and when planning for examinations. Thus, the Schedule RI-C information enables examiners and agency analysts to determine whether the institution is releasing loan loss allowances in some loan categories and building allowances in others. Furthermore, changes from period to period in the volume of individually evaluated loans that have been determined to be impaired in each loan category, and the allowance allocations to these impaired loans, provide examiners and analysts with an indicator of trends in the institution's credit quality. This understanding is critical to the agencies since the ALLL, and the direction of changes in its composition, is one of the key factors in determining an institution's financial condition.

The detailed ALLL information collected in Schedule RI-C allows the agencies to more finely focus efforts related to the analysis of the ALLL and credit risk management. By reviewing the data collected in Schedule RI-C on allowance allocations by loan category in conjunction with the past due and nonaccrual data reported by loan category (in Schedule RC-N) that are used in a general assessment of an institution's credit risk exposures, the agencies can better evaluate whether the overall level of its ALLL, and its allocations by loan category, appear appropriate or whether supervisory follow-up is warranted. Together, the ALLL information and past due and nonaccrual data factor into the assessment of the Asset Quality component of the CAMELS rating.¹⁵ As an example, by using the detailed information on the ALLL allocated to commercial real estate (CRE) loans, examiners and analysts can better understand how institutions with CRE concentrations are building or releasing allowances, the extent of ALLL coverage in relation to their CRE portfolios, and how this might differ among institutions.

Schedule RI-C also assists the agencies in understanding industry trends related to the build-up or release of allowances for specific loan categories. The information supports comparisons of ALLL levels by loan category, including the identification of differences in ALLL allocations by institution size. Understanding how institutions' ALLL practices and allocations differ over time for particular loan categories as economic conditions change provides insight that can be used to more finely tune supervisory procedures and policies.

Schedule RC-A (Cash and Balances Due From Depository Institutions) [FFIEC 031 and FFIEC 041 Only]

Schedule RC-A provides data on currency and coin, cash items, balances due from U.S. and foreign depository institutions, and balances due from Federal Reserve Banks.

¹⁵ CAMELS is an acronym that represents the ratings from six essential components of an institution's financial condition and operations: Capital adequacy, asset quality, management, earnings, liquidity, and sensitivity to market risk. These components represent the primary areas evaluated by examiners during examinations of institutions.

This information, particularly from larger institutions, is utilized for monetary policy purposes and liquidity analysis purposes.

For monetary policy purposes, information from Schedule RC-A is needed for analysis of the relationship between institutions' cash assets and the federal funds market, and in the construction of the monetary aggregates and weekly estimates of cash assets. The Board, in conducting monetary policy, monitors shifts between cash accounts and federal funds as a measure of the effectiveness of policy initiatives. For example, differences in interest rates paid on balances due from Federal Reserve Banks compared to those available in the federal funds market cause shifts in the relative volumes of funds institutions hold in their Federal Reserve Bank accounts and federal funds sold. This can be seen in the significant shrinkage in the federal funds market over the past ten years that has been offset by increases in cash assets held. As monetary policy normalizes and rates in the federal funds market increase, data in Schedule RC-A will allow the Board to analyze how cash assets would change as the federal funds market responds to the movement in rates.

Schedule RC-A data also serve as inputs into the construction of the monetary aggregates and in deriving estimates of cash assets on a weekly frequency. Cash items reported in item 1 are utilized as netting components in constructing the monetary aggregates. Items for cash and balances due from depository institutions are utilized to benchmark comparable weekly data collected by the Board from a sample of both small and large depository institutions. These weekly estimates provide timely input for more effective monitoring of institutions' cash asset positions.

Schedule RC-A provides information about the most liquid balance sheet accounts available to satisfy unexpected cash outflows. Thus, information reported on balances due from depository institutions, including those representing correspondent banking balances, are a key element in the agencies' analysis of an institution's management of liquidity risk. Such balances serve to pay the institution's daily cash letters and must be maintained at sufficient levels to cover these obligations in the normal course of business. At the same time, information from Schedule RC-A is particularly important for the agencies' evaluations of an institution's ability to effectively respond to liquidity stress. Although other balance sheet assets, such as debt securities, are secondary sources of liquidity under normal operating conditions, examiners consider the availability of on-balance sheet cash and due from balances under a highly stressed operating environment. Given the volatility of liability funding sources, agency supervisory staff assess the demands of a potential liquidity crisis in comparison to the availability of funds from due from balances. Because the amount of liquid assets that an institution should maintain is a function of the stability of its funding structure and the risk characteristics of its balance sheet and off-balance sheet activities, examiners monitor the level of cash and due from

balances, and changes therein from period to period, by using data from Schedule RC-A as part of their off-site analyses of liquidity risk. The results of these analyses may influence the supervisory strategy for an institution and is an input into examination planning activities necessary for scoping and staffing the evaluation of liquidity and funds management during examinations.

The separate breakout of balances due from banks in foreign countries and foreign central banks in Schedule RC-A also aids the agencies in assessing liquidity risk arising from additional or distinct banking laws and regulations in foreign countries and in evaluating the currency risk and country risk associated with these balances.

Schedule RC-F (Other Assets)

Schedule RC-F collects a breakdown of assets not reported in other balance sheet asset categories, such as deferred tax assets, equity securities without readily determinable fair values, and life insurance assets. This information is used in off-site monitoring and for pre-examination planning. A trend of rapid growth in or a significant change in the reported amount of an individual category of other assets that is identified through off-site monitoring may represent an area of potential concern or heightened risk and require further review and assessment, either upon identification or at the next examination.

For example, a significant increase in the level of accrued interest receivable may be indicative of deterioration in the repayment capacity of an institution's borrowers or a relaxation of management's loan collection policies and practices, which would signal an increase in overall credit risk. Growth in the amount of net deferred tax assets, particularly at an institution with cumulative losses in recent years, raises questions about the realizability of these assets and whether the need for a valuation allowance has been properly assessed. The importance of ensuring the appropriateness of the reported amount of these assets is also tied to the deductions and limits that apply to deferred tax assets under the agencies' regulatory capital rules. Examiners use information on the volume of interest-only strips receivable in their pre-examination scoping of an institution's interest rate risk to determine the extent of this risk in preparation for an on-site assessment. Because bank-owned life insurance exposes an institution to liquidity, operational, credit, interest rate, and other risks, examiners need to identify significant holdings of life insurance assets and growth in such holdings. In these circumstances, examiners evaluate management's adherence to prudent concentration limits for life insurance assets and management's performance of comprehensive assessments of the risks of these assets, either on an off-site basis or during examinations.

Information on those individual components of all other assets that exceed the Schedule RC-F disclosure threshold helps examiners evaluate the significance of these items to the overall composition of the balance sheet and identify risk exposures associated with these assets. For example, when examiners find the reported amount of

repossessed assets at an institution to be increasing, these data, taken together with data on the volume of past due and nonaccrual loans reported in Schedule RC-N, may signal credit deterioration and the need for examiner follow-up with management. Data on repossessed assets also are used for the scoping of targeted consumer compliance examinations, particularly with respect to auto loan origination and servicing.

Data on accrued interest receivable also are used in the FDIC's model that estimates losses arising from the failure of problem institutions, which affects the measurement of the balance of the Deposit Insurance Fund.

Schedule RC-G (Other Liabilities)

Schedule RC-G collects a breakdown of liabilities not reported in other balance sheet liability categories, such as interest accrued and unpaid on deposits, net deferred tax liabilities, and the allowance for credit losses on off-balance sheet exposures. As with the other assets data collected in Schedule RC-F, information reported in Schedule RC-G is used in off-site monitoring and for pre-examination planning. A trend of rapid growth in or a significant change in the reported amount of an individual category of other liabilities that is identified through off-site monitoring may represent an area of potential concern or heightened risk and require further review and assessment, either upon identification or at the next examination.

For example, a significant increase or decrease in the interest accrued and unpaid on deposits would warrant examiner follow-up to determine the cause for this change from previous levels because it could indicate a change in an institution's funding strategy with a consequential effect on its future earnings and its interest rate risk exposure. Examiner assessments of material increases in the allowance for off-balance sheet credit exposures are performed to determine whether this reflects credit quality deterioration on the part of existing customers to whom credit has been extended, a loosening of underwriting practices for granting or renewing lines of credit, or other factors, especially at banks with significant credit card operations or other unfunded commitments.

Information on those individual components of all other liabilities that exceed the Schedule RC-G disclosure threshold helps examiners evaluate the significance of these items to the overall composition of the balance sheet and identify risk exposures associated with these liabilities. For example, an increase in the amount of derivatives with negative fair values, considering changes in the notional amounts of derivatives reported in Schedule RC-L (on the FFIEC 031 or FFIEC 041) or Schedule SU (on the FFIEC 051), would lead to examiner review of an institution's hedging activities and their effectiveness in offsetting identified hedged risks or its strategy for entering into derivatives transactions for purposes other than hedging because of the resulting negative impact on earnings. Because deferred compensation liabilities create funding obligations, growth in the amount of

these liabilities that triggers disclosure in Schedule RC–G warrants examiner review to ensure that management is properly planning for the funding mechanisms to be used to satisfy these compensation arrangements.

Data on interest accrued and unpaid on deposits also are used in the FDIC's model that estimates losses arising from the failure of problem institutions, which affects the measurement of the Deposit Insurance Fund.

Schedule RC–H (Selected Balance Sheet Items for Domestic Offices) [FFIEC 031 Only]

Schedule RC–H provides data on selected balance sheet items held in domestic offices only, and complements domestic office information collected in Schedule RC–C, Part I (Loans and Leases), Column B, and in Schedule RC–A (Cash and Balances Due from Depository Institutions), Column B. This domestic office level information is utilized for monetary policy and supervisory risk assessment purposes.

In general, Board policymakers set U.S. monetary policy to influence economic activity and financial market conditions in the United States. The domestic office components of the balance sheet items in Schedule RC–H and elsewhere in the Call Report are used in this context to assess credit availability, banks' funding patterns, liquidity, and investment strategies in the United States. For example, if the level of an institution's consolidated holdings of U.S. Treasury securities were increasing, but upon further review a significant portion of the growth reflected a rise in the amount of the institution's securities that are held in its foreign offices, such growth would not constitute direct support of either increased liquidity or a change in investment strategy at the institution's domestic offices. Moreover, in that case, such growth would not constitute an increase in the Board's U.S. bank credit aggregate, which is based on domestic-office-only holdings of institutions' securities and loans. Without the domestic-offices-only component of U.S. Treasury securities, the interpretation of increases in such securities holdings would be unnecessarily complicated; it would otherwise be unclear to policymakers, analysts, and others whether such growth had in fact reflected stimulation of the U.S. economy in the form of U.S. bank credit.

For institutions with foreign and domestic operations, the division of assets and funding between foreign and domestic components is a key element of an institution's risk profile. For example, the levels of funding and assets at such an institution that are subject to potentially more restrictive foreign laws and regulations and to currency risk and other transactional risks define a major portion of the institution's risk profile. In addition, data on the volume of assets and liabilities by balance sheet category in domestic versus foreign offices is essential for planning and staffing examinations of institutions with foreign offices.

Schedule RC–I (Assets and Liabilities of IBFs) [FFIEC 031 Only]

Schedule RC–I requires the reporting, on a fully consolidated basis, of the total assets and liabilities of all International Banking

Facilities (IBFs) established by the reporting institution, *i.e.*, including any IBFs established by the institution itself or by its Edge or Agreement subsidiaries. An IBF is a set of asset and liability accounts, segregated on the books and records of the establishing entity, which reflect permitted international transactions. IBF activities are essentially limited to accepting deposits from and extending credit to foreign residents (including banks), other IBFs, and the institutions establishing the IBF. The general purpose of the collection of these two Schedule RC–I data items is to aid in the planning of examinations on the risks and activities associated with international lending, financing instruments, and international banking conducted through an IBF. These two data items also serve as high level indicators of institutions' engagement in such activities between examinations. There is no other source of information on the total assets and liabilities of U.S. banking institutions' IBFs.

Schedule RC–P (1–4 Family Residential Mortgage Banking Activities in Domestic Offices) [FFIEC 031 and FFIEC 041 Only]

For institutions that meet an activity-based reporting threshold associated with their mortgage banking activities in domestic offices, Schedule RC–P provides data on their originations, purchases, and sales of closed-end and open-end 1–4 family residential mortgages during the quarter. Institutions providing data in Schedule RC–P also report the amount of closed-end and open-end 1–4 family residential mortgage loans held for sale or trading at quarter-end as well as the noninterest income for the quarter from the sale, securitization, and servicing of these mortgage loans. For open-end mortgage loans, institutions report the total commitment under the line of credit. These data are collected to enhance the agencies' ability to monitor the nature and extent of institutions' involvement with 1–4 family residential mortgage loans as originators, sellers, and servicers of such loans.

Since mortgage banking accounts for a large source of income at many institutions, concentrations of activities in this area pose several types of risks. These risks include operational, credit, interest rate, and liquidity risks, evaluations of which are critical in assigning appropriate CAMELS ratings for an institution. Therefore, the agencies monitor and analyze the Schedule RC–P data on institutions' mortgage banking activities to support their assessments of various risk components of CAMELS ratings. For example, 1–4 family residential mortgage banking activities may include an institution's obligation to repurchase mortgage loans that it has sold or otherwise indemnify the loan purchaser against loss due to borrower defaults, loan defects, other breaches of representations and warranties, or other reasons, thereby exposing the institution to additional risk. To monitor this exposure, Schedule RC–P collects data on 1–4 family residential mortgage loan repurchases and indemnifications during the quarter as well as representation and warranty reserves for such loans that have been sold. If off-site analysis of the reported

data on repurchases and indemnifications reveals substantial increases in recent periods, this would be a red flag for supervisory questions about the credit and operational risks arising from the institution's mortgage loan originations and purchases as well as its ability to fund a higher level of loan repurchases going forward than it may be accustomed to repurchase. Examiner review of the appropriateness of the level of representation and warranty reserves and the institution's methodology for estimating the amount of these reserves also would be warranted.

In addition, the data reported in Schedule RC–P are used in the ongoing monitoring of the current volume, growth, and profitability of institutions' 1–4 family residential mortgage banking activities. In this regard, significant growth in these activities over a short period of time, particularly in relation to the size of an institution, raises supervisory concerns as to whether the institution has implemented appropriate risk management processes, controls, and governance over its mortgage banking business. The extent of the increased level of activity will determine the nature and timing of the supervisory follow-up. More generally, for examiners, the off-site monitoring of the Schedule RC–S data and related metrics and trends provides key information for examination scoping and helps determine the allocation of mortgage-banking specialists' time during on-site examinations.

A substantial volume of loans and other assets held for sale in a market where the assets may not be able to be readily sold can cause significant liquidity strain because of the institution's need for funding to carry these assets for a greater length of time than had been anticipated. Thus, the agencies use data from Schedule RC–P when assessing an institution's liquidity position by monitoring and analyzing the extent of mortgages held for sale or trading. If there is significant growth in the amount of such mortgage holdings, particularly when the Schedule RC–P data reveal larger amounts of originations and purchases compared to sales, this would be an indicator that the acquired loans are not selling and a basis for supervisory follow-up.

From a consumer compliance perspective, the agencies use Schedule RC–P data to monitor mortgage-related metrics for assessing potential risks to consumers, and for the scheduling and scoping of examinations. Additionally, the agencies rely on Schedule RC–P data for assessing an institution's product lines for compliance with the Community Reinvestment Act and other fair lending regulations, particularly if the institution engages in wholesale originations of mortgage loans.

Schedule RC–Q—Assets and Liabilities Measured at Fair Value on a Recurring Basis [FFIEC 031 and FFIEC 041 Only]

FASB ASC Topic 820, Fair Value Measurement, provides guidance on how to measure fair value and establishes a three-level hierarchy for measuring fair value. This hierarchy prioritizes inputs used to measure fair value based on observability, giving the highest priority to quoted prices in active

markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3).

Under ASC Subtopic 825-10, Financial Instruments—Overall, ASC Subtopic 815-15, Derivatives and Hedging—Embedded Derivatives, and ASC Subtopic 860-50, Transfers and Servicing—Servicing Assets and Liabilities, an institution may elect to report certain assets and liabilities at fair value with changes in fair value recognized in earnings. This election is generally referred to as the fair value option. Under U.S. GAAP, certain other assets and liabilities are required to be measured at fair value on a recurring basis.

Institutions that have elected to apply the fair value option or have reported \$10 million or more in total trading assets in any of the four preceding calendar quarters must report in Schedule RC-Q the amount of assets and liabilities, by major categories, that are measured at fair value on a recurring basis in the financial statements, along with separate disclosure of the amount of such assets and liabilities whose fair values were estimated under each of the three levels of the FASB's fair value hierarchy.

Agency staff use the information on assets reported at fair value in Schedule RC-Q to calibrate and estimate the impact of regulatory capital policy, as well as evaluate contemplated capital policy changes. The agencies also use the Schedule RC-Q data (particularly the volume of fair value option assets and liabilities in relation to total assets and total capital, whether the volume has significantly increased, and whether the option has begun to be applied to new categories of assets or liabilities) to assist with planning the proper scoping and staffing of risk management safety and soundness examinations given the critical importance of robust risk management and control processes around fair value measurement. For available-for-sale securities and fair value option loans, agency staff can also compare the fair values reported in Schedule RC-Q with the amortized cost and unpaid principal balance, respectively, reported for these assets in the Call Report to understand the extent and direction of these measurement differences and their potential effect on regulatory capital should a substantial portion of these assets need to be sold. The agencies also use this information to evaluate the extent of Level 3 fair value measurements of certain assets and liabilities because of the extensive use of unobservable inputs to estimate these fair values, as well as to monitor trading asset valuations and shifts in the fair value hierarchy valuation levels among trading assets over time and across capital markets.

Information in Schedule RC-Q is also used by agency examination staff to analyze capital, asset quality, earnings, and liquidity components of CAMELS. The agencies also use data reported in Schedule RC-Q in credit risk management tools. Obtaining these data on a quarterly basis allows for closer monitoring of credit risk changes affecting assets measured at fair value. The data are also used to monitor bank performance, emerging trends, and certain mortgage servicing assets.

Schedule RC-S (Servicing, Securitization, and Asset Sale Activities) [FFIEC 031 and FFIEC 041]

Schedule RC-S collects data on servicing, securitization, and asset sale activities. The majority of these data represents off-balance sheet activities. The agencies use the data provided in this schedule primarily for risk identification and examination scoping purposes.

Exposures reported in Schedule RC-S can affect an institution's liquidity outlook. For example, if an institution has a commitment to provide liquidity to its own or other institutions' securitization structures or has provided credit enhancements in the form of recourse or standby letters of credit for assets it has sold or securitized, the agencies need to consider such funding commitments to properly monitor and assess the full scope of an institution's liquidity position. This schedule also captures past due amounts for loans the reporting institution has sold and securitized on which it has retained servicing or has provided recourse or other credit enhancements. This past due information, and trends in the past due amounts, are critical to the agencies' ability to evaluate the credit quality of the underlying assets in securitization structures on an off-site basis and timely identify any credit quality deterioration for supervisory follow-up, including, if applicable, the effect of increased servicing costs on current and forecasted earnings. Defaulting assets underlying securitization structures played a major role during the recent financial crisis, so it is imperative the agencies have the information necessary to continuously monitor the performance of these assets.

The agencies also use Schedule RC-S data to analyze whether an institution has adequate capital to cover losses arising from liquidity commitments or recourse obligations if the underlying assets in securitizations begin to default, especially in the event of an economic downturn. In addition, on an industry-wide basis, changes in the level of activity reported in the various items of this schedule enables the agencies to identify emerging trends within the securitization sector, which supports the development, as needed, of supervisory policies and related guidance for institutions and examiners.

Schedule RC-S is also used by the agencies to prepare for on-site examinations. Specifically, the level of activity reported in Schedule RC-S helps the agencies make examination resource decisions, such as whether capital markets or consumer compliance specialists are needed on-site. (Consumer compliance regulations apply to loans an institution continues to service after sale or securitization.) For example, in the event there are increasing amounts of past due loans that an institution has sold and securitized, additional resources can be allocated to examining the institution's lending policies and practices and internal controls.

Schedule RC-T (Fiduciary and Related Services)

Schedule RC-T collects data on fiduciary assets and accounts, income generated from

those accounts and other fiduciary services, and related fiduciary activities. The amount of data reported in Schedule RC-T and the frequency of reporting varies depending on an institution's total fiduciary assets and its fiduciary income. The most detail, including income information, is provided quarterly by institutions that have more than \$250 million in fiduciary assets or meet a fiduciary income test; other trust institutions report less information in Schedule RC-T annually as of December 31.

Trust services are an integral part of the banking business for more than 20 percent of all institutions. The granularity of the data in Schedule RC-T, especially for the types of managed assets held in fiduciary accounts, aids the agencies in determining the complexity of an institution's fiduciary services risk profile. Furthermore, the agencies use Schedule RC-T data to monitor changes in the volume and character of discretionary trust activity and the volume of nondiscretionary trust activity at a trust institution, which facilitates their assessment of the nature and risks of the institution's fiduciary activities. The institution's risk profile in these areas is considered during pre-examination planning to determine the appropriate scoping and staffing for trust examinations.

The Schedule RC-T data also are used when examiners consider the ratings to be assigned to trust institutions under the Uniform Interagency Trust Rating System (UITRS). The UITRS considers certain managerial, operational, financial, and compliance factors that are common to all institutions with fiduciary activities. Under this system, the supervisory agencies endeavor to ensure that all institutions with fiduciary activities are evaluated in a comprehensive and uniform manner, and that supervisory attention is appropriately focused on those institutions exhibiting weaknesses in their fiduciary operations.

Schedule RC-T provides a breakdown of the amount and number of managed and non-managed accounts by the types of different trust accounts. Personal trusts, employee benefit trusts, and corporate trusts are reported separately because of their substantive differences in nature and risk. Having a detailed breakdown between managed and non-managed accounts is critical because managed accounts have greater levels of investment, legal, reputational, and compliance risks compared to non-managed accounts, and require more supervisory oversight. This account information supports examination scoping and staffing because the evaluation of different types of trust accounts requires differences in expertise.

Data reported by larger trust institutions on fiduciary and related services income and on fiduciary settlements, surcharges, and other losses provide information on the overall profitability of the institution's fiduciary activities and supports the assessment of the Earnings component of the UITRS rating. These assessments consider such factors as the profitability of fiduciary activities in relation to the size and scope of the institution's trust product lines and its overall trust business. In addition, fiduciary

settlements, surcharges, and other losses signal mishandling, operational failure, or fraud, which pose higher than normal risk exposure to the institution and raise questions for supervisory follow-up about the effectiveness of the institution's controls over its fiduciary activities. These data also are monitored off-site and used to make interim rating changes in the UTRS Earnings rating between scheduled examinations.

Data in the Schedule RC-T Memorandum items include the market values of managed assets held in fiduciary accounts by type of account and asset class and the number of collective investment funds and common trust funds and the market value of fund assets by type of fund. The exercise of investment discretion adds a significant element of risk to the administration of managed fiduciary accounts. The breakdowns by asset class and type of fund enable the agencies to monitor trends, both on a trust industry-wide basis and an individual trust institution basis, in how institutions with investment discretion are investing the assets of managed accounts and investment funds. The market value breakdowns of managed assets by asset class provide an indicator of complexity by separating more complex and hard-to-value assets that carry higher levels of risk from those assets that pose less risk. These data also contribute to effective examination scoping and staffing so that trust examiners can be assigned, and their time allocated, to examining those more complex and higher risk activities in which they have expertise. For example, the separately reported managed asset classes of real estate mortgages and real estate are distinctly different asset classes with different risk and return profiles, cash flows, and liquidity characteristics. Thus, concentrations in either of these asset

classes may inform the supervisory strategy for managed fiduciary accounts, including the level of specialized expertise that may be required when there are concentrations in these asset classes.

Trust institutions also report the number of corporate and municipal debt issues for which the institution serves as trustee that are in substantive default and the outstanding principal amount of these debt issues. A substantive default occurs when the issuer fails to make a required payment of interest or principal, defaults on a required payment into a sinking fund, or is declared bankrupt or insolvent. The occurrence of a substantive default significantly raises the risk profile for the institution serving as an indenture trustee of a defaulted issue and can result in the incurrance of significant expenses and the distraction of managerial time and attention from other areas of trust administration. Thus, by monitoring the corporate trust data reported in Schedule RC-T between examinations, the agencies are able to identify changes in the risk profile of institutions acting as indenture trustees for timely supervisory follow-up and appropriate examination scoping and staffing.

The existence of fiduciary activities reported in Schedule RC-T may result in scoping certain areas of review into a consumer compliance examination, such as privacy and incentive-based cross-selling. The schedule also contains essential information for statistical and analytical purposes, including calculating the OCC assessments for independent trust banks.

Schedule RC-V (Variable Interest Entities) [FFIEC 031 and FFIEC 041 Only]

Schedule RC-V collects information on an institution's consolidated variable interest entities (VIEs) as defined by FASB ASC

Topic 810, Consolidation. The data are used in determining the extent to which an institution's VIEs have been created as securitization vehicles to pool and repackage mortgages, other assets, or other credit exposures into securities that have been or can be transferred to investors or for other purposes. Examiners and reviewers can quantify the level of cash and noninterest-bearing balances, securities, loans, and other assets as well as liabilities tied to VIEs that are reflected in the amounts reported in the corresponding asset and liability categories on the parent institution's consolidated balance sheet. While securitization activities present many risks, the data on VIEs are particularly useful for monitoring and examining credit risk or the risk to earnings performance from the VIEs' activities. Depending on the volume of an institution's VIEs, VIE assets that can be used only to settle obligations of the consolidated VIEs can also impact off-site assessments of the parent institution's liquidity position given the restrictions on the use of the VIEs' assets for borrowing purposes. Thus, the analysis of amounts reported in Schedule RC-V assists with planning the proper scoping and staffing of examinations of institutions with activities conducted through VIEs.

Appendix B

FFIEC 051: To be completed by banks with domestic offices only and total assets less than \$1 billion

Data Items Removed, Other Impacts to Data Items, or New or Increased Reporting Threshold

Data Items Removed

Schedule RC-A, Cash and Balances Due from Depository Institutions, removed.

Schedule	Item	Item name	MDRM No.
RC-B	4.a.(1)	Residential mortgage pass-through securities: Guaranteed by GNMA (Columns A through D).	RCONG300, RCONG301, RCONG302, RCONG303.
RC-B	4.a.(2)	Residential mortgage pass-through securities: Issued by FNMA and FHLMC (Columns A through D). Note: Items 4.a.(1) and 4.a.(2) of Schedule RC-B will be combined into one data item (new item 4.a).	RCONG304, RCONG305, RCONG306, RCONG307.
RC-F	3.a	Interest-only strips receivable (not in the form of a security) on mortgage loans.	RCONA519.
RC-F	3.b	Interest-only strips receivable (not in the form of a security) on other financial assets. Note: Items 3.a and 3.b of Schedule RC-F will be combined into one data item (new item 3).	RCONA520.
RC-F	6.d	Retained interests in accrued interest receivable related to securitized credit cards.	RCONC436.
SU	8.e	Outstanding credit card fees and finance charges included in retail credit card receivables sold and securitized with servicing retained or with recourse or other seller-provided credit enhancements.	RCONC407.

Other Impacts to Data Items

Schedule	Item	Item name	MDRM No.
RC-B	4.a.(1) (New)	Residential mortgage pass-through securities: Issued or guaranteed by FNMA, FHLMC, or GNMA (Columns A through D). Note: Items 4.a.(1) and 4.a.(2) of Schedule RC-B will be combined into this data item.	To be determined (TBD)—4 MDRM Numbers.

Schedule	Item	Item name	MDRM No.
RC-F	3 (New)	Interest-only strips receivable (not in the form of a security) Note: Items 3.a and 3.b of Schedule RC-F removed above will be combined into this data item.	TBD.

Data Items With a New or Increased Reporting Threshold

Schedule RC-T: Increase the threshold for the exemption from reporting Schedule RC-

T items 14 through 26, from institutions with fiduciary assets of \$100 million or less to institutions with fiduciary assets of \$250 million or less (that do not meet the fiduciary income test for quarterly reporting).

Schedule	Item	Item name	MDRM No.
RC-T	14	Income from personal trust and agency accounts	RIADB904
RC-T	15.a	Income from employee benefit and retirement-related trust and agency accounts: Employee benefit—defined contribution.	RIADB905.
RC-T	15.b	Income from employee benefit and retirement-related trust and agency accounts: Employee benefit—defined benefit.	RIADB906.
RC-T	15.c	Income from employee benefit and retirement-related trust and agency accounts: Other employee benefit and retirement-related accounts.	RIADB907.
RC-T	16	Income from corporate trust and agency accounts	RIADA479.
RC-T	17	Income from investment management and investment advisory agency accounts.	RIADJ315.
RC-T	18	Income from foundation and endowment trust and agency accounts.	RIADJ316.
RC-T	19	Income from other fiduciary accounts	RIADA480.
RC-T	20	Income from custody and safekeeping accounts	RIADB909.
RC-T	21	Other fiduciary and related services income	RIADB910.
RC-T	22	Total gross fiduciary and related services income	RIAD4070.
RC-T	23	Less: Expenses	RIADC058.
RC-T	24	Less: Net losses from fiduciary and related services	RIADA488.
RC-T	25	Plus: Intracompany income credits for fiduciary and related services.	RIADB911.
RC-T	26	Net fiduciary and related services income	RIADA491.

To be completed by banks with collective investment funds and common trust funds

with a total market value of \$1 billion or more as of the preceding December 31.

Schedule	Item	Item name	MDRM No.
RC-T	M3.a	Collective investment funds and common trust funds: Domestic equity (Columns A and B).	RCONB931, RCONB932.
RC-T	M3.b	Collective investment funds and common trust funds: International/Global equity (Columns A and B).	RCONB933, RCONB934.
RC-T	M3.c	Collective investment funds and common trust funds: Stock/Bond blend (Columns A and B).	RCONB935, RCONB936
RC-T	M3.d	Collective investment funds and common trust funds: Taxable bond (Columns A and B).	RCONB937, RCONB938.
RC-T	M3.e	Collective investment funds and common trust funds: Municipal bond (Columns A and B).	RCONB939, RCONB940.
RC-T	M3.f	Collective investment funds and common trust funds: Short-term investments/Money market (Columns A and B).	RCONB941, RCONB942.
RC-T	M3.g	Collective investment funds and common trust funds: Specialty/Other (Columns A and B).	RCONB943, RCONB944.

Appendix C

FFIEC 041: To Be Completed by Banks With Domestic Offices Only and Consolidated Total Assets Less Than \$100 Billion, Except Those Banks That File the FFIEC 051

Data Items Removed, Other Impacts to Data Items, or New or Increased Reporting Threshold

Data Items Removed

Schedule	Item	Item name	MDRM No.
RC-A	2.a	Balances due from U.S. branches and agencies of foreign banks	RCON0083.
RC-A	2.b	Balances due from other commercial banks in the U.S. and other depository institutions in the U.S. Note: Items 2.a and 2.b of Schedule RC-A will be combined into one data item (new item 2).	RCON0085.
RC-A	3.a	Balances due from foreign branches of other U.S. banks	RCON0073.
RC-A	3.b	Balances due from other banks in foreign countries and foreign central banks. Note: Items 3.a and 3.b of Schedule RC-A will be combined into one data item (new item 3).	RCON0074.
RC-F	3.a	Interest-only strips receivable (not in the form of a security) on mortgage loans.	RCONA519.
RC-F	3.b	Interest-only strips receivable (not in the form of a security) on other financial assets. Note: Items 3.a and 3.b of Schedule RC-F will be combined into one data item (new item 3).	RCONA520.
RC-F	6.d	Retained interests in accrued interest receivable related to securitized credit cards.	RCONC436.
RC-N	M5.b.(1)	Loans measured at fair value: Fair value (Columns A through C)	RCONF664, RCONF665, RCONF666.
RC-N	M5.b.(2)	Loans measured at fair value: Unpaid principal balance (Columns A through C).	RCONF667, RCONF668, RCONF669.
RC-P	1.a	Retail originations during the quarter of 1-4 family residential mortgage loans for sale: Closed-end first liens.	RCONF066.
RC-P	1.b	Retail originations during the quarter of 1-4 family residential mortgage loans for sale: Closed-end junior liens.	RCONF067.
RC-P	1.c.(1)	Retail originations during the quarter of 1-4 family residential mortgage loans for sale: Open-end loans extended under lines of credit: Total commitment under the lines of credit. Note: Items 1.a, 1.b, and 1.c.(1) of Schedule RC-P will be combined into one data item (new item 1).	RCONF670.
RC-P	1.c.(2)	Retail originations during the quarter of 1-4 family residential mortgage loans for sale: Open-end loans extended under lines of credit: Principal amount funded under the lines of credit.	RCONF671.
RC-P	2.a	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale: Closed-end first liens.	RCONF068.
RC-P	2.b	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale: Closed-end junior liens.	RCONF069.
RC-P	2.c.(1)	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale: Open-end loans extended under lines of credit: Total commitment under the lines of credit. Note: Items 2.a, 2.b, and 2.c.(1) of Schedule RC-P will be combined into one data item (new item 2).	RCONF672.
RC-P	2.c.(2)	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale: Open-end loans extended under lines of credit: Principal amount funded under the lines of credit.	RCONF673.
RC-P	3.a	1-4 family residential mortgage loans sold during the quarter: Closed-end first liens.	RCONF070.
RC-P	3.b	1-4 family residential mortgage loans sold during the quarter: Closed-end junior liens.	RCONF071.
RC-P	3.c.(1)	1-4 family residential mortgage loans sold during the quarter: Total commitment under the lines of credit. Note: Items 3.a, 3.b, and 3.c.(1) of Schedule RC-P will be combined into one data item (new item 3).	RCONF674.
RC-P	3.c.(2)	1-4 family residential mortgage loans sold during the quarter: Principal amount funded under the lines of credit.	RCONF675.
RC-P	4.a	1-4 family residential mortgage loans held for sale or trading at quarter-end: Closed-end first liens.	RCONF072.
RC-P	4.b	1-4 family residential mortgage loans held for sale or trading at quarter-end: Closed-end junior liens.	RCONF073.
RC-P	4.c.(1)	1-4 family residential mortgage loans held for sale or trading at quarter-end: Total commitment under the lines of credit. Note: Items 4.a, 4.b, and 4.c.(1) of Schedule RC-P will be combined into one data item (new item 4).	RCONF676.
RC-P	4.c.(2)	1-4 family residential mortgage loans held for sale or trading at quarter-end: Principal amount funded under the lines of credit.	RCONF677.
RC-P	5.a	Noninterest income for the quarter from the sale, securitization, and servicing of 1-4 family residential mortgage loans: Closed-end 1-4 family residential mortgage loans.	RIADF184.

Schedule	Item	Item name	MDRM No.
RC-P	5.b	Noninterest income for the quarter from the sale, securitization, and servicing of 1-4 family residential mortgage loans: Open-end 1-4 family residential mortgage loans extended under lines of credit. Note: Items 5.a and 5.b of Schedule RC-P will be combined into one data item (new item 5).	RIADF560.
RC-P	6.a	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter: Closed-end first liens.	RCONF678.
RC-P	6.b	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter: Closed-end junior liens.	RCONF679.
RC-P	6.c.(1)	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter: Total commitment under the lines of credit. Note: Items 6.a, 6.b, and 6.c.(1) of Schedule RC-P will be combined into one data item (new item 6).	RCONF680.
RC-P	6.c.(2)	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter: Principal amount funded under the lines of credit.	RCONF681.
RC-Q	2	Federal funds sold and securities purchased under agreements to resell (Columns A through E). Note: Item 2 of Schedule RC-Q will be included in item 6, All other assets.	RCONG478, RCONG479, RCONG480, RCONG481, RCONG482.
RC-Q	9	Federal funds purchased and securities sold under agreements to repurchase (Columns A through E).	RCONG507, RCONG508, RCONG509, RCONG510, RCONG511.
RC-Q	11	Other borrowed money (Columns A through E)	RCONG521, RCONG522, RCONG523, RCONG524, RCONG525.
RC-Q	12	Subordinated notes and debentures (Columns A through E) Note: Items 9, 11 and 12 of Schedule RC-Q will be included in item 13, All other liabilities.	RCONG526, RCONG527, RCONG528, RCONG529, RCONG530.
RC-Q	M3.a.(1)	Loans measured at fair value: Construction, land development, and other land loans.	RCONF578.
RC-Q	M3.a.(2)	Loans measured at fair value: Secured by farmland	RCONF579.
RC-Q	M3.a.(4)	Loans measured at fair value: Secured by multifamily (5 or more) residential properties.	RCONF583.
RC-Q	M3.a.(5)	Loans measured at fair value: Secured by nonfarm nonresidential properties. Note: Items M3.a.(1), M3.a.(2), M3.a.(4), and M3.a.(5) of Schedule RC-Q will be combined into one data item (new item M3.a.(2)).	RCONF584.
RC-Q	M3.a.(3)(a)	Loans measured at fair value: Revolving, open-end loans secured by 1-4 family residential properties and extended under lines of credit.	RCONF580.
RC-Q	M3.a.(3)(b)(1)	Loans measured at fair value: Closed-end loans secured by 1-4 family residential properties: Secured by first liens.	RCONF581.
RC-Q	M3.a.(3)(b)(2)	Loans measured at fair value: Closed-end loans secured by 1-4 family residential properties: Secured by junior liens. Note: Items M3.a.(3)(a), M3.a.(3)(b)(1), and M3.a.(3)(b)(2) of Schedule RC-Q will be combined into one data item (new item M3.a.(1)).	RCONF582.
RC-Q	M3.c.(1)	Loans measured at fair value: Credit cards	RCONF586.
RC-Q	M3.c.(2)	Loans measured at fair value: Other revolving credit plans	RCONF587.
RC-Q	M3.c.(3)	Loans measured at fair value: Automobile loans	RCONK196.
RC-Q	M3.c.(4)	Loans measured at fair value: Other consumer loans Note: Items M3.c.(1), M3.c.(2), M3.c.(3), and M3.c.(4) of Schedule RC-Q will be combined into one data item (new item M3.c.).	RCONK208.
RC-Q	M4.a.(1)	Unpaid principal balance of loans measured at fair value: Construction, land development, and other land loans.	RCONF590.
RC-Q	M4.a.(2)	Unpaid principal balance of loans measured at fair value: Secured by farmland.	RCONF591.
RC-Q	M4.a.(4)	Unpaid principal balance of loans measured at fair value: Secured by multifamily (5 or more) residential properties.	RCONF595.
RC-Q	M4.a.(5)	Unpaid principal balance of loans measured at fair value: Secured by nonfarm nonresidential properties. Note: Items M4.a.(1), M4.a.(2), M4.a.(4), and M4.a.(5) of Schedule RC-Q will be combined into one data item (new item M4.a.(2)).	RCONF596.
RC-Q	M4.a.(3)(a)	Unpaid principal balance of loans measured at fair value: Revolving, open-end loans secured by 1-4 family residential properties and extended under lines of credit.	RCONF592.

Schedule	Item	Item name	MDRM No.
RC-Q	M4.a.(3)(b)(1)	Unpaid principal balance of loans measured at fair value: Closed-end loans secured by 1-4 family residential properties: Secured by first liens.	RCONF593.
RC-Q	M4.a.(3)(b)(2)	Unpaid principal balance of loans measured at fair value: Closed-end loans secured by 1-4 family residential properties: Secured by junior liens. Note: Items M4.a.(3)(a), M4.a.(3)(b)(1), and M4.a.(3)(b)(2) of Schedule RC-Q will be combined into one data item (new item M4.a.(1)).	RCONF594.
RC-Q	M4.c.(1)	Unpaid principal balance of loans measured at fair value: Credit cards.	RCONF598.
RC-Q	M4.c.(2)	Unpaid principal balance of loans measured at fair value: Other revolving credit plans.	RCONF599.
RC-Q	M4.c.(3)	Unpaid principal balance of loans measured at fair value: Auto- mobile loans.	RCONK195.
RC-Q	M4.c.(4)	Unpaid principal balance of loans measured at fair value: Other consumer loans. Note: Items M4.c.(1), M4.c.(2), M4.c.(3), and M4.c.(4) of Sched- ule RC-Q will be combined into one data item (new item M4.c).	RCONK209.
RC-S	1	Outstanding principal balance of assets sold and securitized by the reporting bank with servicing retained or with recourse or other seller-provided credit enhancements (Columns B through F). Note: Item 1, Columns B through F, of Schedule RC-S will be included in item 1, Column G.	RCONB706, RCONB707, RCONB708, RCONB709, RCONB710.
RC-S	2.a	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to struc- tures reported in item 1 in the form of: Credit-enhancing inter- est-only strips (Columns A through G).	RCONB712, RCONB713, RCONB714, RCONB715, RCONB716, RCONB717, RCONB718.
RC-S	2.b	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to struc- tures reported in item 1 in the form of: Subordinated securities and other residual interests (Columns A through G).	RCONC393, RCONC394, RCONC395, RCONC396, RCONC397, RCONC398, RCONC399.
RC-S	2.c	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to struc- tures reported in item 1 in the form of: Standby letters of cred- it and other enhancements (Columns A through G). Note: Items 2.a, 2.b, and 2.c, Columns A and G, of Schedule RC-S will be combined into one data item (new item 2) for Columns A and G.	RCONC400, RCONC401, RCONC402, RCONC403, RCONC404, RCONC405, RCONC406.
RC-S	3	Reporting bank's unused commitments to provide liquidity to structures reported in item 1 (Columns A through G).	RCONB726, RCONB727, RCONB728, RCONB729, RCONB730, RCONB731, RCONB732.
RC-S	4.a	Past due loan amounts included in item 1: 30-89 days past due (Columns B through F). Note: Item 4.a, Columns B through F, of Schedule RC-S will be included in item 4.a, Column G.	RCONB734, RCONB735, RCONB736, RCONB737, RCONB738.
RC-S	4.b	Past due loan amounts included in item 1: 90 days or more past due (Columns B through F). Note: Item 4.b, Columns B through F, of Schedule RC-S will be included in item 4.b, Column G.	RCONB741, RCONB742, RCONB743, RCONB744, RCONB745.
RC-S	5.a	Charge-offs and recoveries on assets sold and securitized with servicing retained or with recourse or other seller-provided credit enhancements: Charge-offs (Columns B through F). Note: Item 5.a, Columns B through F, of Schedule RC-S will be included in item 5.a, Column G.	RIADB748, RIADB749, RIADB750, RIADB751, RIADB752.
RC-S	5.b	Charge-offs and recoveries on assets sold and securitized with servicing retained or with recourse or other seller-provided credit enhancements: Recoveries (Columns B through F). Note: Item 5.b, Columns B through F, of Schedule RC-S will be included in item 5.b, Column G.	RIADB755, RIADB756, RIADB757, RIADB758, RIADB759.
RC-S	6.a	Amount of ownership (or seller's) interests carried as: Securities (Columns B, C, and F).	RCONB761, RCONB762, RCONB763.
RC-S	6.b	Amount of ownership (or seller's) interests carried as: Loans (Columns B, C, and F). Note: Items 6.a and 6.b, Columns B, C, and F, of Schedule RC- S will be combined into one data item (new item 6) for Col- umn G.	RCONB500, RCONB501, RCONB502.
RC-S	7.a	Past due loan amounts included in interests reported in item 6.a: 30-89 days past due (Columns B, C, and F).	RCONB764, RCONB765, RCONB766.

Schedule	Item	Item name	MDRM No.
RC-S	7.b	Past due loan amounts included in interests reported in item 6.a: 90 days or more past due (Columns B, C, and F).	RCONB767, RCONB768, RCONB769.
RC-S	8.a	Charge-offs and recoveries on loan amounts included in interests reported in item 6.a: 30-89 days past due (Columns B, C, and F).	RIADB770, RIADB771, RIADB772.
RC-S	8.b	Charge-offs and recoveries on loan amounts included in interests reported in item 6.a: 90 days or more past due (Columns B, C, and F).	RIADB773, RIADB774, RIADB775.
RC-S	9	Maximum amount of credit exposure arising from credit enhancements provided by the reporting bank to other institutions' securitization structures in the form of standby letters of credit, purchased subordinated securities, and other enhancements (Columns B through F). Note: Item 9, Columns B through F, of Schedule RC-S will be included in item 9, Column G.	RCONB777, RCONB778, RCONB779, RCONB780, RCONB781.
RC-S	10	Reporting bank's unused commitments to provide liquidity to other institutions' securitization structures (Columns B through F). Note: Item 10, Columns B through F, of Schedule RC-S will be included in item 10, Column G.	RCONB784, RCONB785, RCONB786, RCONB787, RCONB788.
RC-S	11	Assets sold with recourse or other seller-provided credit enhancements and not securitized by the reporting bank (Columns B through F). Note: Item 11, Columns B through F, of Schedule RC-S will be included in item 11, Column G.	RCONB791, RCONB792, RCONB793, RCONB794, RCONB795.
RC-S	12	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to assets reported in item 11 (Columns B through F). Note: Item 12, Columns B through F, of Schedule RC-S will be included in item 12, Column G.	RCONB798, RCONB799, RCONB800, RCONB801, RCONB802.
RC-S	M1.a	Small business obligations transferred with recourse under Section 208 of the Riegle Community Development and Regulatory Improvement Act of 1994: Outstanding principal balance. Note: Item M.1.a of Schedule RC-S will be included in item 1 or item 11, Column G, as appropriate.	RCONA249.
RC-S	M1.b	Small business obligations transferred with recourse under Section 208 of the Riegle Community Development and Regulatory Improvement Act of 1994: Amount of retained recourse on these obligations as of the report date. Note: Item M.1.b of Schedule RC-S will be included in item 2 or 12, Column G, as appropriate.	RCONA250.
RC-V	All data items reported for "ABCP Conduits" (Column B).	ABCP Conduits (Column B) Note: Data items currently reported for "ABCP Conduits" (Column B) will be included in the "Other VIEs" column (Column C, to be relabeled as Column B) of Schedule RC-V by line item, as reflected below.	RCONJ982, RCONJ985, RCONJ988, RCONJ991, RCONJ994, RCONJ997, RCONK001, RCONK004, RCONK007, RCONK010, RCONK013, RCONK016, RCONK019, RCONK022, RCONK025, RCONK028, RCONK031, RCONK034.
RC-V	1.b	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Held-to-maturity securities (Columns A and C).	RCONJ984, RCONJ986.
RC-V	1.c	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Available-for-sale securities (Columns A and C). Note: Items 1.b and 1.c, Columns A and C, of Schedule RC-V will be combined into one data item (new item 1.b) for Columns A and C (the latter to be relabeled as Column B).	RCONJ987, RCONJ989.
RC-V	1.d	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Securities purchased under agreements to resell (Columns A and C). Note: Item 1.d, Columns A and C, of Schedule RC-V will be included in item 1.k. Other assets (renumbered as item 1.e), for Columns A and C (the latter to be relabeled as Column B).	RCONJ990, RCONJ992.
RC-V	1.e	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Loans and leases held for sale (Columns A and C).	RCONJ993, RCONJ995.
RC-V	1.f	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Loans and leases held for investment (Columns A and C).	RCONJ996, RCONJ998.

Schedule	Item	Item name	MDRM No.
RC-V	1.g	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Less: Allowance for loan and lease losses (Columns A and C). Note: Items 1.e, 1.f, and 1.g, Columns A and C, of Schedule RC-V will be combined into one data item (new item 1.c) for Columns A and C (the latter to be relabeled as Column B).	RCONJ999, RCONK002.
RC-V	1.h	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Trading assets (other than derivatives) (Columns A and C). Note: Item 1.h, Columns A and C, of Schedule RC-V will be included in item 1.k, Other assets (renumbered as item 1.e), for Columns A and C (the latter to be relabeled as Column B).	RCONK003, RCONK005.
RC-V	1.i	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Derivative trading assets (Columns A and C). Note: Item 1.i, Columns A and C, of Schedule RC-V will be included in item 1.k, Other assets (renumbered as item 1.e), for Columns A and C (the latter to be relabeled as Column B).	RCONK006, RCONK008.
RC-V	2.a	Liabilities of consolidated VIEs for which creditors do not have recourse to the general credit of the reporting bank: Securities sold under agreements to repurchase (Columns A and C). Note: Item 2.a, Columns A and C, of Schedule RC-V will be included in item 2.e, Other liabilities (renumbered as item 2.b), for Columns A and C (the latter to be relabeled as Column B).	RCONK015, RCONK017.
RC-V	2.b	Liabilities of consolidated VIEs for which creditors do not have recourse to the general credit of the reporting bank: Derivative trading liabilities (Columns A and C). Note: Item 2.b, Columns A and C, of Schedule RC-V will be included in item 2.e, Other liabilities (renumbered as item 2.b), for Columns A and C (the latter to be relabeled as Column B).	RCONK018, RCONK020.
RC-V	2.c	Liabilities of consolidated VIEs for which creditors do not have recourse to the general credit of the reporting bank: Commercial paper (Columns A and C). Note: Item 2.c, Columns A and C, of Schedule RC-V will be included in item 2.d, Other borrowed money (renumbered as item 2.a), for Columns A and C (the latter to be relabeled as Column B).	RCONK021, RCONK023.

Other Impacts to Data Items

Schedule	Item	Item name	MDRM No.
RC-A	2 (New)	Balances due from depository institutions in the U.S. Note: Items 2.a. and 2.b of Schedule RC-A will be combined into this data item.	RCON0082.
RC-A	3 (New)	Balances due from banks in foreign countries and foreign central banks. Note: Items 3.a. and 3.b of Schedule RC-A will be combined into this data item.	RCON0070.
RC-F	3 (New)	Interest-only strips receivable (not in the form of a security) Note: Items 3.a and 3.b of Schedule RC-F will be combined into this data item.	To be determined (TBD).
RC-P	1 (New)	Retail originations during the quarter of 1-4 family residential mortgage loans for sale. Note: Items 1.a, 1.b, and 1.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-P	2 (New)	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale. Note: Items 2.a, 2.b, and 2.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-P	3 (New)	1-4 family residential mortgage loans sold during the quarter Note: Items 3.a, 3.b, and 3.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-P	4 (New)	1-4 family residential mortgage loans held for sale or trading at quarter-end. Note: Items 4.a, 4.b, and 4.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-P	5 (New)	Noninterest income for the quarter from the sale, securitization, and servicing of 1-4 family residential mortgage loans. Note: Items 5.a and 5.b of Schedule RC-P will be combined into this data item.	TBD.

Schedule	Item	Item name	MDRM No.
RC-P	6 (New)	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter. Note: Items 6.a, 6.b, and 6.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-Q	M3.a.(1) (New)	Loans measured at fair value: Secured by 1-4 family residential properties. Note: Items M3.a.(3)(a), M3.a.(3)(b)(1), and M3.a.(3)(b)(1) of Schedule RC-Q will be combined into this data item.	TBD.
RC-Q	M3.a.(2) (New)	Loans measured at fair value: All other loans secured by real estate. Note: Items M3.a.(1), M3.a.(2), M3.a.(4), and M3.a.(5) of Schedule RC-Q will be combined into this data item.	TBD.
RC-Q	M3.c (New)	Loans measured at fair value: Loans to individuals for household, family, and other personal expenditures. Note: Items M3.c.(1), M3.c.(2), M3.c.(3), and M3.c.(4) of Schedule RC-Q will be combined into this data item.	TBD.
RC-Q	M4.a.(1) (New)	Unpaid principal balance of loans measured at fair value: Secured by 1-4 family residential properties. Note: Items M4.a.(3)(a), M4.a.(3)(b)(1), and M4.a.(3)(b)(2) of Schedule RC-Q will be combined into this data item.	TBD.
RC-Q	M4.a.(2) (New)	Unpaid principal balance of loans measured at fair value: All other loans secured by real estate. Note: Items M4.a.(1), M4.a.(2), M4.a.(4), and M4.a.(5) of Schedule RC-Q will be combined into this data item.	TBD.
RC-Q	M4.c (New)	Unpaid principal balance of loans measured at fair value: Loans to individuals for household, family, and other personal expenditures. Note: Items M4.c.(1), M4.c.(2), M4.c.(3), and M4.c.(4) of Schedule RC-Q will be combined into this data item.	TBD.
RC-S	2 (New)	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to structures reported in item 1 (Columns A and G). Note: Items 2.a, 2.b, and 2.c, Columns A and G, of Schedule RC-S will be combined into this data item.	TBD (2 MDRM Numbers).
RC-S	6 (New)	Total amount of ownership (or seller's) interest carried as securities or loans (Columns B, C, and F). Note: Items 6.a and 6.b, Columns B, C, and F, of Schedule RC-S will be combined into this data item for Column G.	TBD (3 MDRM Numbers).
RC-V	1.b (New)	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Securities (Columns A and C). Note: Items 1.b and 1.c, Columns A and C, of Schedule RC-V removed above will be combined into this data item for Columns A and C (the latter to be relabeled as Column B).	TBD (2 MDRM Numbers).
RC-V	1.c (New)	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Loans and leases held for investment, net of allowance, and held for sale (Columns A and C). Note: Items 1.e, 1.f, and 1.g, Columns A and C, of Schedule RC-V removed above will be combined into this data item for Columns A and C (the latter to be relabeled as Column B).	TBD (2 MDRM Numbers).
RC-V	5 (New)	Total assets of asset-backed commercial paper (ABCP) conduit VIEs.	TBD.
RC-V	6 (New)	Total liabilities of ABCP conduit VIEs	TBD.

Data Items With a New or Increased Reporting Threshold

Schedule RC-P is to be completed by institutions where any of the following residential mortgage banking activities exceeds \$10 million for two consecutive quarters:

- 1-4 family residential mortgage loan originations and purchases for resale from all sources during a calendar quarter; or

- 1-4 family residential mortgage loan sales during a calendar quarter; or
- 1-4 family residential mortgage loans held for sale or trading at calendar quarter-end.

Schedule RC-Q is to be completed by banks that: (1) Have elected to report financial instruments or servicing assets and liabilities at fair value under a fair value option with changes in fair value recognized

in earnings, or (2) are required to complete Schedule RC-D, Trading Assets and Liabilities.

Schedule RC-T: Increase the threshold for the exemption from reporting Schedule RC-T, data items 14 through 26, from institutions with fiduciary assets of \$100 million or less to institutions with fiduciary assets of \$250 million or less (that do not meet the fiduciary income test for quarterly reporting).

Schedule	Item	Item name	MDRM No.
RC-T	14	Income from personal trust and agency accounts	RIADB904
RC-T	15.a	Income from employee benefit and retirement-related trust and agency accounts: Employee benefit—defined contribution.	RIADB905.

Schedule	Item	Item name	MDRM No.
RC-T	15.b	Income from employee benefit and retirement-related trust and agency accounts: Employee benefit—defined benefit.	RIADB906.
RC-T	15.c	Income from employee benefit and retirement-related trust and agency accounts: Other employee benefit and retirement-related accounts.	RIADB907.
RC-T	16	Income from corporate trust and agency accounts	RIADA479.
RC-T	17	Income from investment management and investment advisory agency accounts.	RIADJ315.
RC-T	18	Income from foundation and endowment trust and agency accounts.	RIADJ316.
RC-T	19	Income from other fiduciary accounts	RIADA480.
RC-T	20	Income from custody and safekeeping accounts	RIADB909.
RC-T	21	Other fiduciary and related services income	RIADB910.
RC-T	22	Total gross fiduciary and related services income	RIAD4070.
RC-T	23	Less: Expenses	RIADC058.
RC-T	24	Less: Net losses from fiduciary and related services	RIADA488.
RC-T	25	Plus: Intracompany income credits for fiduciary and related services.	RIADB911.
RC-T	26	Net fiduciary and related services income	RIADA491.

To be completed by banks with collective investment funds and common trust funds with a total market value of \$1 billion or more as of the preceding December 31.

Schedule	Item	Item name	MDRM No.
RC-T	M3.a	Collective investment funds and common trust funds: Domestic equity (Columns A and B).	RCONB931, RCONB932.
RC-T	M3.b	Collective investment funds and common trust funds: International/Global equity (Columns A and B).	RCONB933, RCONB934.
RC-T	M3.c	Collective investment funds and common trust funds: Stock/Bond blend (Columns A and B).	RCONB935, RCONB936.
RC-T	M3.d	Collective investment funds and common trust funds: Taxable bond (Columns A and B).	RCONB937, RCONB938.
RC-T	M3.e	Collective investment funds and common trust funds: Municipal bond (Columns A and B).	RCONB939, RCONB940.
RC-T	M3.f	Collective investment funds and common trust funds: Short-term investments/Money market (Columns A and B).	RCONB941, RCONB942.
RC-T	M3.g	Collective investment funds and common trust funds: Specialty/Other (Columns A and B).	RCONB943, RCONB944.

To be completed by banks with \$10 billion or more in total assets.

Schedule	Item	Item name	MDRM No.
RC-S	6 (New)	Total amount of ownership (or seller's) interest carried as securities or loans (Column G).	TBD.
RC-S	10	Reporting bank's unused commitments to provide liquidity to other institutions' securitization structures (Columns A and G).	RCONB783, RCONB789.
RC-S	M3.a.(1)	Asset-backed commercial paper conduits: Maximum amount of credit exposure arising from credit enhancements provided to conduit structures in the form of standby letters of credit, subordinated securities, and other enhancements: Conduits sponsored by the bank, a bank affiliate, or the bank's holding company.	RCONB806.
RC-S	M3.a.(2)	Asset-backed commercial paper conduits: Maximum amount of credit exposure arising from credit enhancements provided to conduit structures in the form of standby letters of credit, subordinated securities, and other enhancements: Conduits sponsored by other unrelated institutions.	RCONB807.
RC-S	M3.b.(1)	Asset-backed commercial paper conduits: Unused commitments to provide liquidity to conduit structures: Conduits sponsored by the bank, a bank affiliate, or the bank's holding company.	RCONB808.
RC-S	M3.b.(2)	Asset-backed commercial paper conduits: Unused commitments to provide liquidity to conduit structures: Conduits sponsored by other unrelated institutions.	RCONB809.

Schedule	Item	Item name	MDRM No.
RC-S	M4	Outstanding credit card fees and finance charges included in Schedule RC-S, item 1, column C. Note: With the combining of Columns B through F of item 1 of Schedule RC-S into item 1, Column G, of Schedule RC-S, the reference to column C in the caption for M4 will be changed to column G.	RCOnc407.

Appendix D

FFIEC 031: To Be Completed by Banks With Domestic and Foreign Offices and Banks With Domestic Offices Only and Consolidated Total Assets of \$100 Billion or More

Data Items Removed, Other Impacts to Data Items, or New or Increased Reporting Threshold

Data Items Removed

Schedule	Item	Item name	MDRM No.
RC-A	2.a	Balances due from U.S. branches and agencies of foreign banks (Column A).	RCFD0083.
RC-A	2.b	Balances due from other commercial banks in the U.S. and other depository institutions in the U.S. (Column A). Note: Items 2.a and 2.b (Column A), of Schedule RC-A will be combined into one data item (new item 2).	RCFD0085.
RC-A	3.a	Balances due from foreign branches of other U.S. banks (Column A).	RCFD0073.
RC-A	3.b	Balances due from other banks in foreign countries and foreign central banks (Column A). Note: Items 3.a and 3.b (Column A), of Schedule RC-A will be combined into one data item (new item 3).	RCFD0074.
RC-F	3.a	Interest-only strips receivable (not in the form of a security) on mortgage loans.	RCFDA519.
RC-F	3.b	Interest-only strips receivable (not in the form of a security) on other financial assets. Note: Items 3.a and 3.b of Schedule RC-F will be combined into one data item (new item 3).	RCFDA520.
RC-F	6.d	Retained interests in accrued interest receivable related to securitized credit cards.	RCFDC436.
RC-N	M5.b.(1)	Loans measured at fair value: Fair value (Columns A through C)	RCFDF664, RCFDF665, RCFDF666.
RC-N	M5.b.(2)	Loans measured at fair value: Unpaid principal balance (Columns A through C).	RCFDF667, RCFDF668, RCFDF669.
RC-P	1.a	Retail originations during the quarter of 1-4 family residential mortgage loans for sale: Closed-end first liens.	RCONF066.
RC-P	1.b	Retail originations during the quarter of 1-4 family residential mortgage loans for sale: Closed-end junior liens.	RCONF067.
RC-P	1.c.(1)	Retail originations during the quarter of 1-4 family residential mortgage loans for sale: Open-end loans extended under lines of credit: Total commitment under the lines of credit. Note: Items 1.a, 1.b, and 1.c.(1) of Schedule RC-P will be combined into one data item (new item 1).	RCONF670.
RC-P	1.c.(2)	Retail originations during the quarter of 1-4 family residential mortgage loans for sale: Open-end loans extended under lines of credit: Principal amount funded under the lines of credit.	RCONF671.
RC-P	2.a	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale: Closed-end first liens.	RCONF068.
RC-P	2.b	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale: Closed-end junior liens.	RCONF069.
RC-P	2.c.(1)	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale: Open-end loans extended under lines of credit: Total commitment under the lines of credit. Note: Items 2.a, 2.b, and 2.c.(1) of Schedule RC-P will be combined into one data item (new item 2).	RCONF672.

Schedule	Item	Item name	MDRM No.
RC-P	2.c.(2)	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loans for sale: Open-end loans extended under lines of credit: Principal amount funded under the lines of credit.	RCONF673.
RC-P	3.a	1-4 family residential mortgage loans sold during the quarter: Closed-end first liens.	RCONF070.
RC-P	3.b	1-4 family residential mortgage loans sold during the quarter: Closed-end junior liens.	RCONF071.
RC-P	3.c.(1)	1-4 family residential mortgage loans sold during the quarter: Total commitment under the lines of credit. Note: Items 3.a, 3.b, and 3.c.(1) of Schedule RC-P will be combined into one data item (new item 3).	RCONF674.
RC-P	3.c.(2)	1-4 family residential mortgage loans sold during the quarter: Principal amount funded under the lines of credit.	RCONF675.
RC-P	4.a	1-4 family residential mortgage loans held for sale or trading at quarter-end: Closed-end first liens.	RCONF072.
RC-P	4.b	1-4 family residential mortgage loans held for sale or trading at quarter-end: Closed-end junior liens.	RCONF073.
RC-P	4.c.(1)	1-4 family residential mortgage loans held for sale or trading at quarter-end: Total commitment under the lines of credit. Note: Items 4.a, 4.b, and 4.c.(1) of Schedule RC-P will be combined into one data item (new item 4).	RCONF676.
RC-P	4.c.(2)	1-4 family residential mortgage loans held for sale or trading at quarter-end: Principal amount funded under the lines of credit.	RCONF677.
RC-P	5.a	Noninterest income for the quarter from the sale, securitization, and servicing of 1-4 family residential mortgage loans: Closed-end 1-4 family residential mortgage loans.	RIADF184.
RC-P	5.b	Noninterest income for the quarter from the sale, securitization, and servicing of 1-4 family residential mortgage loans: Open-end 1-4 family residential mortgage loans extended under lines of credit. Note: Items 5.a and 5.b of Schedule RC-P will be combined into one data item (new item 5).	RIADF560.
RC-P	6.a	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter: Closed-end first liens.	RCONF678.
RC-P	6.b	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter: Closed-end junior liens.	RCONF679.
RC-P	6.c.(1)	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter: Total commitment under the lines of credit. Note: Items 6.a, 6.b, and 6.c.(1) of Schedule RC-P will be combined into one data item (new item 6).	RCONF680.
RC-P	6.c.(2)	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter: Principal amount funded under the lines of credit.	RCONF681.
RC-Q	M3.a	Loans measured at fair value: Loans secured by real estate (Column A).	RCFDF608.
RC-Q	M3.a.(1)	Loans measured at fair value: Construction, land development, and other land loans (Column B).	RCONF578.
RC-Q	M3.a.(2)	Loans measured at fair value: Secured by farmland (Column B)	RCONF579.
RC-Q	M3.a.(4)	Loans measured at fair value: Secured by multifamily (5 or more) residential properties (Column B).	RCONF583.
RC-Q	M3.a.(5)	Loans measured at fair value: Secured by nonfarm nonresidential properties (Column B). Note: Items M3.a.(1), M3.a.(2), M3.a.(4), and M3.a.(5), Column B, of Schedule RC-Q will be combined into one data item for the consolidated bank (new item M3.a.(2), Column A).	RCONF584.
RC-Q	M3.a.(3)(a)	Loans measured at fair value: Revolving, open-end loans secured by 1-4 family residential properties and extended under lines of credit (Column B).	RCONF580.
RC-Q	M3.a.(3)(b)(1)	Loans measured at fair value: Closed-end loans secured by 1-4 family residential properties: Secured by first liens (Column B).	RCONF581.
RC-Q	M3.a.(3)(b)(2)	Loans measured at fair value: Closed-end loans secured by 1-4 family residential properties: Secured by junior liens (Column B). Note: Items M3.a.(3)(a), M3.a.(3)(b)(1), and M3.a.(3)(b)(2), Column B, of Schedule RC-Q will be combined into one data item for the consolidated bank (new item M3.a.(1), Column A).	RCONF582.
RC-Q	M3.b	Loans measured at fair value: Commercial and industrial loans (Column B).	RCONF585.
RC-Q	M3.c.(1)	Loans measured at fair value: Credit cards (Columns A and B) ..	RCFDF586, RCONF586.
RC-Q	M3.c.(2)	Loans measured at fair value: Other revolving credit plans (Columns A and B).	RCFDF587, RCONF587.

Schedule	Item	Item name	MDRM No.
RC-Q	M3.c.(3)	Loans measured at fair value: Automobile loans (Columns A and B).	RCFDK196, RCONK196.
RC-Q	M3.c.(4)	Loans measured at fair value: Other consumer loans (Columns A and B). Note: Items M3.c.(1), M3.c.(2), M3.c.(3), and M3.c.(4), Column A, of Schedule RC-Q will be combined into one data item for the consolidated bank (new item M3.c, Column A).	RCFDK208, RCONK208.
RC-Q	M3.d	Loans measured at fair value: Other loans (Column B)	RCONF589.
RC-Q	M4.a	Unpaid principal balance of loans measured at fair value: Loans secured by real estate (Column A).	RCFDF609.
RC-Q	M4.a.(1)	Unpaid principal balance of loans measured at fair value: Construction, land development, and other land loans (Column B).	RCONF590.
RC-Q	M4.a.(2)	Unpaid principal balance of loans measured at fair value: Secured by farmland (Column B).	RCONF591.
RC-Q	M4.a.(4)	Unpaid principal balance of loans measured at fair value: Secured by multifamily (5 or more) residential properties (Column B).	RCONF595.
RC-Q	M4.a.(5)	Unpaid principal balance of loans measured at fair value: Secured by nonfarm nonresidential properties (Column B). Note: Items M4.a.(1), M4.a.(2), M4.a.(4), and M4.a.(5), Column B, of Schedule RC-Q will be combined into one data item for the consolidated bank (new item M4.a.(2), Column A).	RCONF596.
RC-Q	M4.a.(3)(a)	Unpaid principal balance of loans measured at fair value: Revolving, open-end loans secured by 1-4 family residential properties and extended under lines of credit (Column B).	RCONF592.
RC-Q	M4.a.(3)(b)(1)	Unpaid principal balance of loans measured at fair value: Closed-end loans secured by 1-4 family residential properties: Secured by first liens (Column B).	RCONF593.
RC-Q	M4.a.(3)(b)(2)	Unpaid principal balance of loans measured at fair value: Closed-end loans secured by 1-4 family residential properties: Secured by junior liens (Column B). Note: Items M4.a.(3)(a), M4.a.(3)(b)(1), and M4.a.(3)(b)(2), Column B, of Schedule RC-Q will be combined into one data item for the consolidated bank (new item M4.a.(1), Column A).	RCONF594.
RC-Q	M4.b	Unpaid principal balance of loans measured at fair value: Commercial and industrial loans (Column B).	RCONF597.
RC-Q	M4.c.(1)	Unpaid principal balance of loans measured at fair value: Credit cards (Columns A and B).	RCFDF598, RCONF598.
RC-Q	M4.c.(2)	Unpaid principal balance of loans measured at fair value: Other revolving credit plans (Columns A and B).	RCFDF599, RCONF599.
RC-Q	M4.c.(3)	Unpaid principal balance of loans measured at fair value: Automobile loans (Columns A and B).	RCFDK195, RCONK195.
RC-Q	M4.c.(4)	Unpaid principal balance of loans measured at fair value: Other consumer loans (Columns A and B). Note: Items M4.c.(1), M4.c.(2), M4.c.(3) and M4.c.(4), Column A, of Schedule RC-Q will be combined into one data item for the consolidated bank (new item M4.c, Column A).	RCFDK209, RCONK209.
RC-Q	M4.d	Unpaid principal balance of loans measured at fair value: Other loans (Column B).	RCONF601.
RC-S	2.a	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to structures reported in item 1 in the form of: Credit-enhancing interest-only strips (Columns A through G).	RCFDB712, RCFDB713, RCFDB714, RCFDB715, RCFDB716, RCFDB717, RCFDB718.
RC-S	2.b	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to structures reported in item 1 in the form of: Subordinated securities and other residual interests (Columns A through G).	RCFDC393, RCFDC394, RCFDC395, RCFDC396, RCFDC397, RCFDC398, RCFDC399.
RC-S	2.c	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to structures reported in item 1 in the form of: Standby letters of credit and other enhancements (Columns A through G). Note: Items 2.a, 2.b, and 2.c, Columns A through G, of Schedule RC-S will be combined into one data item (new item 2) for Columns A through G.	RCFDC400, RCFDC401, RCFDC402, RCFDC403, RCFDC404, RCFDC405, RCFDC406.
RC-S	6.a	Amount of ownership (or seller's) interests carried as: Securities (Columns B, C and F).	RCFDB761, RCFDB762, RCFDB763.
RC-S	6.b	Amount of ownership (or seller's) interests carried as: Loans (Columns B, C and F). Note: Items 6.a and 6.b, Columns B, C, and F, of Schedule RC-S will be combined into one data item (new item 6).	RCFDB500, RCFDB501, RCFDB502.
RC-S	7.a	Past due loan amounts included in interests reported in item 6.a: 30-89 days past due (Columns B, C, and F).	RCFDB764, RCFDB765, RCFDB766.
RC-S	7.b	Past due loan amounts included in interests reported in item 6.a: 90 days or more past due (Columns B, C, and F).	RCFDB767, RCFDB768, RCFDB769.

Schedule	Item	Item name	MDRM No.
RC-S	8.a	Charge-offs and recoveries on loan amounts included in interests reported in item 6.a: 30–89 days past due (Columns B, C, and F).	RIADB770, RIADB771, RIADB772.
RC-S	8.b	Charge-offs and recoveries on loan amounts included in interests reported in item 6.a: 90 days or more past due (Columns B, C, and F).	RIADB773, RIADB774, RIADB775.
RC-S	9	Maximum amount of credit exposure arising from credit enhancements provided by the reporting bank to other institutions' securitization structures in the form of standby letters of credit, purchased subordinated securities, and other enhancements (Columns B and C). Note: Item 9, Columns B and C, of Schedule RC-S will be included in item 9, Column G.	RCFDB777, RCFDB778.
RC-S	10	Reporting bank's unused commitments to provide liquidity to other institutions' securitization structures (Columns B and C). Note: Item 10, Columns B and C, of Schedule RC-S will be included in item 10, Column G.	RCFDB784, RCFDB785.
RC-S	11	Assets sold with recourse or other seller-provided credit enhancements and not securitized by the reporting bank (Columns B through F). Note: Item 11, Columns B through F, of Schedule RC-S will be included in item 11, Column G.	RCFDB791, RCFDB792, RCFDB793, RCFDB794, RCFDB795.
RC-S	12	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to assets reported in item 11 (Columns B through F). Note: Item 12, Columns B through F, of Schedule RC-S will be included in item 12, Column G.	RCFDB798, RCFDB799, RCFDB800, RCFDB801, RCFDB802.
RC-S	M1.a	Small business obligations transferred with recourse under Section 208 of the Riegle Community Development and Regulatory Improvement Act of 1994: Outstanding principal balance. Note: Item M1.a of Schedule RC-S will be included in item 1 or item 11, Column F, as appropriate.	RCFDA249.
RC-S	M1.b	Small business obligations transferred with recourse under Section 208 of the Riegle Community Development and Regulatory Improvement Act of 1994: Amount of retained recourse on these obligations as of the report date. Note: Item M1.b of Schedule RC-S will be included in item 2 or item 12, Column F, as appropriate.	RCFDA250.
RC-V	All data items reported for "ABCP Conduits" (Column B).	ABCP Conduits (Column B) Note: Data items currently reported for "ABCP Conduits" (Column B) will be included in the "Other VIEs" column (Column C, to be relabeled as Column B) of Schedule RC-V by line item, as reflected below.	RCFDJ982, RCFDJ985, RCFDJ988, RCFDJ991, RCFDJ994, RCFDJ997, RCFDK001, RCFDK004, RCFDK007, RCFDK010, RCFDK013, RCFDK016, RCFDK019, RCFDK022, RCFDK025, RCFDK028, RCFDK031, RCFDK034.
RC-V	1.b	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Held-to-maturity securities (Columns A and C).	RCFDJ984, RCFDJ986.
RC-V	1.c	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Available-for-sale securities (Columns A and C). Note: Items 1.b and 1.c, Columns A and C, of Schedule RC-V will be combined into one data item (new item 1.b) for Columns A and C.	RCFDJ987, RCFDJ989.
RC-V	1.d	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Securities purchased under agreements to resell (Columns A and C). Note: Item 1.d, Columns A and C, of Schedule RC-V will be included in item 1.k, Other assets (renumbered as item 1.b), for Columns A and C (the latter to be relabeled as Column B).	RCFDJ990, RCFDJ992.
RC-V	1.e	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Loans and leases held for sale (Column A and C).	RCFDJ993, RCFDJ995.
RC-V	1.f	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Loans and leases held for investment (Column A and C).	RCFDJ996, RCFDJ998.

Schedule	Item	Item name	MDRM No.
RC-V	1.g	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Less: Allowance for loan and lease losses (Columns A and C). Note: Items 1.e, 1.f, and 1.g, Columns A and C, of Schedule RC-V will be combined into one data item (new item 1.c) for Columns A and C (the latter to be relabeled as Column B).	RCFDJ999, RCFDK002.
RC-V	1.h	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Trading assets (other than derivatives) (Columns A and C). Note: Item 1.h, Columns A and C, of Schedule RC-V will be included in item 1.k (renumbered as item 1.e), Other assets, for Columns A and C (the latter to be relabeled as Column B).	RCFDK003, RCFDK005.
RC-V	1.i	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Derivative trading assets (Columns A and C). Note: Item 1.i, Columns A and C, of Schedule RC-V will be included in item 1.k, Other assets (renumbered as item 1.e), for Columns A and C (the latter to be relabeled as Column B).	RCFDK006, RCFDK008.
RC-V	2.a	Liabilities of consolidated VIEs for which creditors do not have recourse to the general credit of the reporting bank: Securities sold under agreements to repurchase (Columns A and C). Note: Item 2.a, Columns A and C, of Schedule RC-V will be included in item 2.e, Other liabilities (renumbered as item 2.b), for Columns A and C (the latter to be relabeled as Column B).	RCFDK015, RCFDK017.
RC-V	2.b	Liabilities of consolidated VIEs for which creditors do not have recourse to the general credit of the reporting bank: Derivative trading liabilities (Columns A and C). Note: Item 2.b, Columns A and C, of Schedule RC-V will be included in item 2.e, Other liabilities (renumbered as item 2.b), for Columns A and C (the latter to be relabeled as Column B).	RCFDK018, RCFDK020.
RC-V	2.c	Liabilities of consolidated VIEs for which creditors do not have recourse to the general credit of the reporting bank: Commercial paper (Columns A and C). Note: Item 2.c, Columns A and C, of Schedule RC-V will be included in item 2.d, Other borrowed money (renumbered as item 2.a), for Columns A and C (the latter to be relabeled as Column B).	RCFDK021, RCFDK023.

Other Impacts to Data Items

Schedule	Item	Item name	MDRM No.
RC-A	2 (New)	Balances due from depository institutions in the U.S. (Column A) Note: Items 2.a. and 2.b (Column A), of Schedule RC-A will be combined into this data item.	RCFD0082.
RC-A	3 (New)	Balances due from banks in foreign countries and foreign central banks (Column A). Note: Items 3.a. and 3.b (Column A), of Schedule RC-A will be combined into this data item.	RCFD0070.
RC-F	3 (New)	Interest-only strips receivable (not in the form of a security) Note: Items 3.a and 3.b of Schedule RC-F will be combined into this data item.	To be determined (TBD).
RC-H	22 (New)	Total amount of fair value option loans held for investment and held for sale. Note: The proposed threshold change applicable to Schedule RC-Q applies to this item.	TBD.
RC-P	1 (New)	Retail originations during the quarter of 1-4 family residential mortgage loans for sale. Note: Items 1.a, 1.b, and 1.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-P	2 (New)	Wholesale originations and purchases during the quarter of 1-4 family residential mortgage loan for sale. Note: Items 2.a, 2.b, and 2.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-P	3 (New)	1-4 family residential mortgage loans sold during the quarter Note: Items 3.a, 3.b, and 3.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-P	4 (New)	1-4 family residential mortgage loans held for sale or trading at quarter-end. Note: Items 4.a, 4.b, and 4.c.(1) of Schedule RC-P will be combined into this data item.	TBD.

Schedule	Item	Item name	MDRM No.
RC-P	5 (New)	Noninterest income for the quarter from the sale, securitization, and servicing of 1-4 family residential mortgage loans. Note: Items 5.a and 5.b of Schedule RC-P will be combined into this data item.	TBD.
RC-P	6 (New)	Repurchases and indemnifications of 1-4 family residential mortgage loans during the quarter. Note: Items 6.a, 6.b, and 6.c.(1) of Schedule RC-P will be combined into this data item.	TBD.
RC-Q	M3.a.(1) (New)	Loans measured at fair value: Secured by 1-4 family residential properties (Column A). Note: Items M3.a.(3)(a), M3.a.(3)(b)(1), and M3.a.(3)(b)(2), Column B, of Schedule RC-Q will be combined into this data item for the consolidated bank.	TBD.
RC-Q	M3.a.(2) (New)	Loans measured at fair value: All other loans secured by real estate (Column A). Note: Items M3.a.(1), M3.a.(2), M3.a.(4), and M3.a.(5), Column B, of Schedule RC-Q will be combined into this data item for the consolidated bank.	TBD.
RC-Q	M3.c (New)	Loans measured at fair value: Loans to individuals for household, family, and other personal expenditures (Column A). Note: Items M3.c.(1), M3.c.(2), M3.c.(3), and M3.c.(4), Column A, of Schedule RC-Q will be combined into this data item.	TBD.
RC-Q	M4.a.(1) (New)	Unpaid principal balance of loans measured at fair value: Secured by 1-4 family residential properties (Column A). Note: Items M4.a.(3)(a), M4.a.(3)(b)(1), and M4.a.(3)(b)(2), Column B, of Schedule RC-Q will be combined into this data item for the consolidated bank.	TBD.
RC-Q	M4.a.(2) (New)	Unpaid principal balance of loans measured at fair value: All other loans secured by real estate (Column A). Note: Items M4.a.(1), M4.a.(2), M4.a.(4), and M4.a.(5), Column B, of Schedule RC-Q will be combined into this data item for the consolidated bank.	TBD.
RC-Q	M4.c (New)	Unpaid principal balance of loans measured at fair value: Loans to individuals for household, family, and other personal expenditures (Column A). Note: Items M4.c.(1), M4.c.(2), M4.c.(3), and M4.c.(4), Column A, of Schedule RC-Q will be combined into this data item.	TBD.
RC-S	2 (New)	Maximum amount of credit exposure arising from recourse or other seller-provided credit enhancements provided to structures reported in item 1 (Columns A through G). Note: Items 2.a, 2.b, and 2.c, Columns A through G, of Schedule RC-S will be combined into this data item.	TBD (7 MDRM Numbers).
RC-S	6 (New)	Total amount of ownership (or seller's) interest carried as securities or loans (Columns B, C, and F). Note: Items 6.a and 6.b, Columns B, C, and F, of Schedule RC-S will be combined into this data item.	TBD (3 MDRM Numbers).
RC-V	1.b (New)	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Securities (Columns A and C). Note: Items 1.b and 1.c, Columns A and C, of Schedule RC-V removed above will be combined into this data item for Columns A and C (the latter to be relabeled as Column B).	TBD (2 MDRM Numbers).
RC-V	1.c (New)	Assets of consolidated variable interest entities (VIEs) that can be used only to settle obligations of the consolidated VIEs: Loans and leases held for investment, net of allowance, and held for sale (Columns A and C). Note: Items 1.e, 1.f, and 1.g, Columns A and C, of Schedule RC-V removed above will be combined into this data item for Columns A and C (the latter to be relabeled as Column B).	TBD (2 MDRM Numbers).
RC-V	5 (New)	Total assets of asset-backed commercial paper (ABCP) conduit VIEs.	TBD.
RC-V	6 (New)	Total liabilities of ABCP conduit VIEs	TBD.

Data Items With a New or Increased Reporting Threshold

Schedule RC-P is to be completed by institutions where any of the following residential mortgage banking activities (in domestic offices) exceeds \$10 million for two consecutive quarters:

- 1-4 family residential mortgage loan originations and purchases for resale from all sources during a calendar quarter; or
- 1-4 family residential mortgage loan sales during a calendar quarter; or
- 1-4 family residential mortgage loans held for sale or trading at calendar quarter-end.

Schedule RC-Q is to be completed by banks that: (1) Have elected to report financial instruments or servicing assets and liabilities at fair value under a fair value option with changes in fair value recognized in earnings, or (2) are required to complete Schedule RC-D, Trading Assets and Liabilities.

Schedule RC-T: Increase the threshold for the exemption from reporting Schedule RC-T, data items 14 through 26, from institutions with fiduciary assets of \$100 million or less to institutions with fiduciary assets of \$250 million or less (that do not meet the fiduciary income test for quarterly reporting).

Schedule	Item	Item name	MDRM No.
RC-T	14	Income from personal trust and agency accounts	RIADB904.
RC-T	15.a	Income from employee benefit and retirement-related trust and agency accounts: Employee benefit—defined contribution.	RIADB905.
RC-T	15.b	Income from employee benefit and retirement-related trust and agency accounts: Employee benefit—defined benefit.	RIADB906.
RC-T	15.c	Income from employee benefit and retirement-related trust and agency accounts: Other employee benefit and retirement-related accounts.	RIADB907.
RC-T	16	Income from corporate trust and agency accounts	RIADA479.
RC-T	17	Income from investment management and investment advisory agency accounts.	RIADJ315.
RC-T	18	Income from foundation and endowment trust and agency accounts.	RIADJ316.
RC-T	19	Income from other fiduciary accounts	RIADA480.
RC-T	20	Income from custody and safekeeping accounts	RIADB909.
RC-T	21	Other fiduciary and related services income	RIADB910.
RC-T	22	Total gross fiduciary and related services income	RIAD4070.
RC-T	23	Less: Expenses	RIADC058.
RC-T	24	Less: Net losses from fiduciary and related services	RIADA488.
RC-T	25	Plus: Intracompany income credits for fiduciary and related services.	RIADB911.
RC-T	26	Net fiduciary and related services income	RIADA491.

To be completed by banks with collective investment funds and common trust funds with a total market value of \$1 billion or more as of the preceding December 31.

Schedule	Item	Item name	MDRM No.
RC-T	M3.a	Collective investment funds and common trust funds: Domestic equity (Columns A and B).	RCFDB931, RCFDB932.
RC-T	M3.b	Collective investment funds and common trust funds: International/Global equity (Columns A and B).	RCFDB933, RCFDB934.
RC-T	M3.c	Collective investment funds and common trust funds: Stock/Bond blend (Columns A and B).	RCFDB935, RCFDB936.
RC-T	M3.d	Collective investment funds and common trust funds: Taxable bond (Columns A and B).	RCFDB937, RCFDB938.
RC-T	M3.e	Collective investment funds and common trust funds: Municipal bond (Columns A and B).	RCFDB939, RCFDB940.
RC-T	M3.f	Collective investment funds and common trust funds: Short-term investments/Money market (Columns A and B).	RCFDB941, RCFDB942.
RC-T	M3.g	Collective investment funds and common trust funds: Specialty/Other (Columns A and B).	RCFDB943, RCFDB944.

To be completed by banks with \$10 billion or more in total assets.

Schedule	Item	Item name	MDRM No.
RC-S	6 (New)	Total amount of ownership (or seller's) interest carried as securities or loans (Columns B, C, and F).	TBD (3 MDRM Numbers).
RC-S	10	Reporting bank's unused commitments to provide liquidity to other institutions' securitization structures (Columns A and D through G).	RCFDB783, RCFDB786, RCFDB787, RCFDB788, RCFDB789.
RC-S	M3.a.(1)	Asset-backed commercial paper conduits: Maximum amount of credit exposure arising from credit enhancements provided to conduit structures in the form of standby letters of credit, subordinated securities, and other enhancements: Conduits sponsored by the bank, a bank affiliate, or the bank's holding company.	RCFDB806.
RC-S	M3.a.(2)	Asset-backed commercial paper conduits: Maximum amount of credit exposure arising from credit enhancements provided to conduit structures in the form of standby letters of credit, subordinated securities, and other enhancements: Conduits sponsored by other unrelated institutions.	RCFDB807.

Schedule	Item	Item name	MDRM No.
RC-S	M3.b.(1)	Asset-backed commercial paper conduits: Unused commitments to provide liquidity to conduit structures: Conduits sponsored by the bank, a bank affiliate, or the bank's holding company.	RCFDB808.
RC-S	M3.b.(2)	Asset-backed commercial paper conduits: Unused commitments to provide liquidity to conduit structures: Conduits sponsored by other unrelated institutions.	RCFDB809.
RC-S	M4	Outstanding credit card fees and finance charges included in Schedule RC-S, item 1, column C.	RCFDC407.

To be completed by banks with \$100 billion or more in total assets.

Schedule	Item	Item name	MDRM No.
RC-S	3	Reporting bank's unused commitments to provide liquidity to structures reported in item 1 (Columns A through G).	RCFDB726, RCFDB727, RCFDB728, RCFDB729, RCFDB730, RCFDB731, RCFDB732.

Dated: April 5, 2018.

Karen Solomon,

Acting Senior Deputy Comptroller and Chief Counsel, Office of the Comptroller of the Currency.

Board of Governors of the Federal Reserve System, April 2, 2018.

Ann Misback,

Secretary of the Board.

Dated at Washington, DC, on April 2, 2018.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2018-07443 Filed 4-10-18; 8:45 am]

BILLING CODE 4810-33-P; 6210-01-P; 6714-01-P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that have been placed on OFAC's Specially Designated Nationals and Blocked Persons List based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons are blocked, and U.S. persons are generally prohibited from engaging in transactions with them.

DATES: See **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: OFAC: Associate Director for Global Targeting, tel.: 202-622-2420; Assistant Director for Sanctions Compliance & Evaluation, tel.: 202-622-2490;

Assistant Director for Licensing, tel.: 202-622-2480; Assistant Director for Regulatory Affairs, tel.: 202-622-4855; 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 Specially Designated Nationals and Blocked Persons List and additional information concerning OFAC sanctions programs are available on OFAC's website (<http://www.treasury.gov/ofac>).

Notice of OFAC Actions

On April 6, 2018, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are blocked under the relevant sanctions authority listed below.

Individuals

1. PEREZ ALVEAR, Jesus (a.k.a. "Chucho Perez"), Guerrero, Mexico; DOB 12 Nov 1984; POB Distrito Federal, Mexico; nationality Mexico; Gender Male; R.F.C. PEAJ-841112-UD1 (Mexico); C.U.R.P. PEAJ841112HDFRLS06 (Mexico) (individual) [SDNTK] (Linked To: CARTEL DE JALISCO NUEVA GENERACION; Linked To: LOS CUINIS; Linked To: GALLISTICA DIAMANTE). Designated pursuant to section 805(b)(2) of the Foreign Narcotics Kingpin Designation Act ("Kingpin Act"), 21 U.S.C. 1904(b)(2), for materially assisting in, or providing financial support for or to, or providing goods or services in support of, the international narcotics trafficking activities of the CARTEL DE JALISCO NUEVA GENERACION and LOS CUINIS; designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, the CARTEL DE JALISCO NUEVA GENERACION and LOS CUINIS.

2. LEONE MARTINEZ, Miguel Jose (a.k.a. LEONE, Miguel), Severo Diaz 38, Col. Ladron de Guevara, Guadalajara, Jalisco 44600, Mexico; DOB 16 May 1980; citizen Italy; alt. citizen Venezuela; website www.miguelleone.com; Gender Male; Passport YA1867648 (Italy) (individual) [SDNTK] (Linked To: LOS CUINIS). Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being directed by, or acting for or on behalf of, LOS CUINIS and Abigael GONZALEZ VALENCIA.

Entity

1. GALLISTICA DIAMANTE (a.k.a. GALLISTICA DIAMANTE S.A. DE C.V.; a.k.a. TICKET PREMIER), Aguascalientes, Aguascalientes, Mexico; Quinta Los Pirules Num. Ext. 182, Quinta Los Naranjos, Leon, Guanajuato 37210, Mexico; website www.ticketpremier.mx [SDNTK]. Designated pursuant to section 805(b)(3) of the Kingpin Act, 21 U.S.C. 1904(b)(3), for being owned, controlled, or directed by, or acting for or on behalf of, Jesus PEREZ ALVEAR.

Dated: April 6, 2018.

Andrea M. Gacki,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2018-07447 Filed 4-10-18; 8:45 am]

BILLING CODE 4810-AL-P

DEPARTMENT OF VETERANS AFFAIRS

Privacy Act of 1974; Matching Program

AGENCY: Department of Veterans Affairs (VA).

ACTION: Notice of a modified matching program.

SUMMARY: This re-established computer matching agreement (CMA) sets forth the terms, conditions, and safeguards under which the Internal Revenue Service (IRS) will disclose return

information, relating to unearned income, to the Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA) for the Disclosure of Information to Federal, State and Local Agencies (DIFSLA). The purpose of this CMA is to make available to VBA certain return information needed to determine eligibility for, and amount of benefits for, VBA applicants and beneficiaries of needs based benefits, and to adjust income-dependent benefit payments, as prescribed by law.

Currently, the most cost effective and efficient way to verify annual income of applicants, and recipients of these benefits, is through a computer match.

DATES: Comments on this matching notice must be received no later than 30 days after date of publication in the **Federal Register**. If no public comment is received during the period allowed for comment, the re-established agreement will become effective July 1, 2018, provided it is a minimum of 30 days after the publication date. If VA receives public comments, VA shall review the comments to determine whether any changes to the notice are necessary. This matching program will be valid for 18 months from the effective date of this notice.

ADDRESSES: Written comments may be submitted through www.Regulations.gov; by mail or hand-delivery to Director, Regulation Policy and Management (00REG), Department of Veterans Affairs, 810 Vermont Ave. NW, Room 1064, Washington, DC 20420; or by fax to (202) 273-9026 (not a toll-free number). Comments should indicate that they are submitted in response to a CMA between the IRS and VBA for DIFSLA. Copies of comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1063B, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays). Please call (202) 461-4902 for an appointment. (This is not a toll-free number.) In addition, comments may be viewed online at www.Regulations.gov.

FOR FURTHER INFORMATION CONTACT: Nancy C. Williams, Pension Analyst, Pension and Fiduciary Service (21P), Department of Veterans Affairs, 810 Vermont Ave., NW, Washington, DC 20420, (202) 461-8394.

SUPPLEMENTARY INFORMATION: CMA between VA and IRS DIFSLA, expires June 30, 2018. VBA has a legal obligation to reduce the amount of pension and of parents' dependency and indemnity compensation by the amount

of annual income received by the VBA beneficiary. VA will use this information to verify the income information submitted by beneficiaries in VA's needs-based benefit programs and adjust VA benefit payments as prescribed by law. By comparing the information received through the matching program between VBA and IRS, VBA will be able to timely and accurately adjust benefit amounts. The match information will help VBA minimize overpayments and deter fraud and abuse.

The legal authority to conduct this match is 38 U.S.C. 5106, which requires any Federal department or agency to provide VA such information as VA requests for the purposes of determining eligibility for benefits, or verifying other information with respect to payment of benefits.

The VA records involved in the match are in "Compensation, Pension and Education and Rehabilitation Records—VA (58 VA 21/22/28)," a system of records which was first published at 41 FR 9294 (March 3, 1976), amended and republished in its entirety at 77 FR 42593 (July 19, 2012).

The IRS records consist of information from the system records identified as will extract return information with respect to unearned income of the VBA applicant or beneficiary and (when applicable) of such individual's spouse from the Information Return Master File (IRMF), Treasury/IRS 22.061, at 80 FR 54081-082 (September 8, 2015).

In accordance with the Privacy Act, 5 U.S.C. 552a (o)(2) and (r), copies of the agreement are being sent to both Houses of Congress and to the Office of Management and Budget. This notice is provided in accordance with the provisions of Privacy Act of 1974 as amended by Public Law 100-503.

Participating Agencies: The Internal Revenue Service (IRS).

Authority for Conducting the Matching Program: The Privacy Act, 5 U.S.C. § 552a, and 38 U.S.C. § 6103 authorize VA to enter into this CMA with IRS.

Purpose(s): To re-establish a CMA with IRS to provide VBA with certain return information needed to determine eligibility for and amount of benefits for VBA applicants and beneficiaries of needs-based benefits and to adjust income-dependent benefit payments as prescribed by law.

Categories of Individuals: Veterans and beneficiaries who apply for VA income benefits.

Categories of Records: VBA will furnish the IRS with records in accordance with the current IRS Publication 3373, DIFSLA Handbook. The requests from VBA will include: the Social Security Number (SSN) and name Control (first four characters of the surname) for each individual for whom unearned income information is requested. IRS will provide a response record for each individual identified by VBA. The total number of records will be equal to or greater than the number of records submitted by VBA. In some instances, an individual may have more than one record on file. When there is a match of individual SSN and name control, IRS will disclose the following to VBA: payee account number; payee name and mailing address; payee TIN; payer name and address; payer TIN; and income type and amount.

System(s) of Records: VBA records involved in this match are in "VA Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records—VA" (58 VA 21/22/28), a system of records that was first published at 41 FR 9294 (March 3, 1976), amended and republished in its entirety at 77 FR 42593 (July 19, 2012).

IRS will extract return information with respect to unearned income of the VBA applicant or beneficiary and (when applicable) of such individual's spouse from the Information Return Master File (IRMF), Treasury/IRS 22.061, as published at 80 FR 54081-082 (September 8, 2015).

Signing Authority

The Senior Agency Official for Privacy, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. John Oswalt, Executive Director for Privacy, Department of Veterans Affairs approved this document on March 7, 2018 for publication.

Dated: April 6, 2018.

Kathleen M. Manwell,

Program Analyst, VA Privacy Service, Office of Privacy Information and Identity Protection, Office of Quality, Privacy and Risk, Office of Information and Technology, Department of Veterans Affairs.

[FR Doc. 2018-07427 Filed 4-10-18; 8:45 am]

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Part II

Department of Housing and Urban
Development

Notice of Regulatory Waiver Requests Granted for the Fourth Quarter of
Calendar Year 2017; Notice

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

[Docket No. FR-6035-N-04]

**Notice of Regulatory Waiver Requests
Granted for the Fourth Quarter of
Calendar Year 2017; Notice**

AGENCY: Office of the General Counsel,
HUD.

ACTION: Notice.

SUMMARY: Section 106 of the Department of Housing and Urban Development Reform Act of 1989 (the HUD Reform Act) requires HUD to publish quarterly **Federal Register** notices of all regulatory waivers that HUD has approved. Each notice covers the quarterly period since the previous **Federal Register** notice. The purpose of this notice is to comply with the requirements of section 106 of the HUD Reform Act. This notice contains a list of regulatory waivers granted by HUD during the period beginning on October 1, 2017, and ending on December 31, 2017.

FOR FURTHER INFORMATION CONTACT: For general information about this notice, contact Ariel Pereira, Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, 451 Seventh Street SW, Room 10282, Washington, DC 20410-0500, telephone 202-708-3055 (this is not a toll-free number). Persons with hearing- or speech-impaired access may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

For information concerning a particular waiver that was granted and for which public notice is provided in this document, contact the person whose name and address follow the description of the waiver granted in the accompanying list of waivers that have been granted in the fourth quarter of calendar year 2017.

SUPPLEMENTARY INFORMATION: Section 106 of the HUD Reform Act added a new section 7(q) to the Department of Housing and Urban Development Act (42 U.S.C. 3535(q)), which provides that:

1. Any waiver of a regulation must be in writing and must specify the grounds for approving the waiver;

2. Authority to approve a waiver of a regulation may be delegated by the Secretary only to an individual of Assistant Secretary or equivalent rank, and the person to whom authority to waive is delegated must also have authority to issue the particular regulation to be waived;

3. Not less than quarterly, the Secretary must notify the public of all

waivers of regulations that HUD has approved, by publishing a notice in the **Federal Register**. These notices (each covering the period since the most recent previous notification) shall:

- a. Identify the project, activity, or undertaking involved;
- b. Describe the nature of the provision waived and the designation of the provision;
- c. Indicate the name and title of the person who granted the waiver request;
- d. Describe briefly the grounds for approval of the request; and
- e. State how additional information about a particular waiver may be obtained.

Section 106 of the HUD Reform Act also contains requirements applicable to waivers of HUD handbook provisions that are not relevant to the purpose of this notice.

This notice follows procedures provided in HUD's Statement of Policy on Waiver of Regulations and Directives issued on April 22, 1991 (56 FR 16337). In accordance with those procedures and with the requirements of section 106 of the HUD Reform Act, waivers of regulations are granted by the Assistant Secretary with jurisdiction over the regulations for which a waiver was requested. In those cases in which a General Deputy Assistant Secretary granted the waiver, the General Deputy Assistant Secretary was serving in the absence of the Assistant Secretary in accordance with the office's Order of Succession.

This notice covers waivers of regulations granted by HUD from October 1, 2017 through December 30, 2017. For ease of reference, the waivers granted by HUD are listed by HUD program office (for example, the Office of Community Planning and Development, the Office of Fair Housing and Equal Opportunity, the Office of Housing, and the Office of Public and Indian Housing, etc.). Within each program office grouping, the waivers are listed sequentially by the regulatory section of title 24 of the Code of Federal Regulations (CFR) that is being waived. For example, a waiver of a provision in 24 CFR part 58 would be listed before a waiver of a provision in 24 CFR part 570.

Where more than one regulatory provision is involved in the grant of a particular waiver request, the action is listed under the section number of the first regulatory requirement that appears in 24 CFR and that is being waived. For example, a waiver of both § 58.73 and § 58.74 would appear sequentially in the listing under § 58.73.

Waiver of regulations that involve the same initial regulatory citation are in

time sequence beginning with the earliest-dated regulatory waiver.

Should HUD receive additional information about waivers granted during the period covered by this report (the fourth quarter of calendar year 2017) before the next report is published (the first quarter of calendar year 2018), HUD will include any additional waivers granted for the fourth quarter in the next report.

Accordingly, information about approved waiver requests pertaining to HUD regulations is provided in the Appendix that follows this notice.

Dated: April 5, 2018.

J. Paul Compton, Jr.,
General Counsel.

APPENDIX

**Listing of Waivers of Regulatory
Requirements Granted by Offices of the
Department of Housing and Urban
Development October 1, 2017 through
December 30, 2017**

Note to Reader: More information about the granting of these waivers, including a copy of the waiver request and approval, may be obtained by contacting the person whose name is listed as the contact person directly after each set of regulatory waivers granted. The regulatory waivers granted appear in the following order:

- I. Regulatory waivers granted by the Office of Community Planning and Development.
- II. Regulatory waivers granted by the Office of Housing.
- III. Regulatory waivers granted by the Office of Public and Indian Housing.

**I. Regulatory waivers granted by the Office
of Community Planning and Development**

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

- **Regulation:** 24 CFR 58.22(a).

Project/Activity: HUD Grantee/Cities of Eugene and Springfield, Oregon—Glenwood Place Project, Springfield, OR.

Nature of Requirement: Section 58.22(a) provides that "Neither a recipient nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance under a program listed in Sec. 58.1(b) on an activity or project until HUD or the state has approved the recipient's RROF and the related certification from the responsible entity. "In addition, until the RROF and the related certification have been approved, neither a recipient nor any participant in the development process may commit non-HUD funds on or undertake an activity or project under a program listed in Sec. 58.1(b) if the activity or project would have an adverse environmental impact or limit the choice of reasonable alternatives."

Granted By: Neal Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: December 12, 2017

Reason Waived: The Office of Environment and Energy determined in accordance with 24 CFR 58.1(d), that good cause exist to waive the second sentence of 24 CFR 58.22(a) requiring advance approval of an RROF and the related certification before non-HUD funds may be expended or a choice-limiting activity undertaken. The HUD Region 10 Regional Environment Officer also recommended this waiver for approval.

In accordance with 24 CFR 58.1(d), the OEE submits that there is good cause for waiving the second sentence of 24 CFR 58.22(a) in that:

(1) The above project will further the HUD mission. It will advance HUD program goals to create strong, sustainable, inclusive communities. The project will remove blighted structures from the community and reduce the risk to public health from soil contamination left by previous uses.

(2) No HUD funds were committed or spent. CPD staff confirmed that no HUD funds have been drawn down by the grantees for projects.

(3) Based on the environmental assessment conducted, reviewed, and approved by the City of Eugene, Oregon and the City of Springfield, Oregon and the HUD field inspection, there is agreement that no adverse environmental impacts exist.

(4) The State Historic Preservation Officer determined in November 2014, that the demolition of the existing home on the property did not represent an adverse effect on a historic property.

(5) The staff of the Housing and Community Services Agency of Lane County and the Cities of Springfield and Eugene have attended training by the Regional Environmental Officer for Region 10 to better understand the role of environmental reviews in the grantmaking process.

Contact: James M. Potter, Environmental Planning Division, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 7212, Washington, DC 20410, telephone (202) 402-4610.

- **Regulation:** 24 CFR 91.105(c)(2) and (k).

Project/Activity: Citizen Participation Plan Requirements San Diego County, California, requested a waiver of the 30-day public comment period for substantial amendments to the Consolidated Plan required by 24 CFR 91.105(c)(2) and (k) to allow the county to address a critical health issue in a timely manner.

Nature of Requirement: In accordance with 24 CFR 91.105(c)(2) and (k), a grantee may amend an approved Consolidated Plan, such as the addition of new activities, subject to the citizen participation process in a grantee's citizen participation plan. The citizen participation plan must provide citizens with not less than 30 days to comment on substantial amendments.

Granted By: Neal J. Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 27, 2017.

Reason Waived: The county was experiencing a severe hepatitis A outbreak linked to the unsanitary conditions in homeless encampments throughout the

county. To address the hepatitis A epidemic, the county wished to amend its Consolidated Plan to enable it to use HOME funds to provide tenant-based rental assistance to homeless individuals. Under the citizen participation plan requirements at 24 CFR 91.105(c)(1)(i), the county's revision to its Consolidated Plan constituted a substantial amendment requiring the county to provide at least a 30-day public comment period. The Department waived 24 CFR 91.105(c)(2) and (k) to permit the county to reduce the public comment period from 30 to seven days to balance the need to quickly address a public health crisis with the requirement to provide a reasonable notice and opportunity to comment on the proposed use of HOME funds.

Contact: Virginia Sardone, Director, Office of Affordable Housing Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 10170, Washington, DC 20410, telephone (202) 708-2684.

- **Regulation:** 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401.

Project/Activity: Numerous communities throughout the southern United States extending from Texas to the Caribbean experienced substantial property damage resulting from Hurricanes Harvey, Irma, and Maria from August through September 2017. Starting in late August, 2017, the Federal Emergency Management Agency (FEMA) issued disaster declarations covering multiple cities and counties in Texas, the entire states of Florida and Georgia, the U.S. Virgin Islands and the Commonwealth of Puerto Rico. Grantees seeking to facilitate assistance for eligible communities and families affected by the hurricanes requested the ability to shorten their citizen comment periods to seven days so that they may quickly reallocate Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Housing Opportunities for Persons With AIDS (HOPWA), and Emergency Solutions Grant (ESG) funds.

Nature of Requirement: The regulations at 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 require a 30-day public comment period prior to the implementation of a substantial amendment.

Granted By: Neal Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: Several CPD grantees were affected by Hurricanes Harvey, Irma, and Maria that caused severe flooding and wind damage resulting in substantial property loss and destruction. Presidentially-declared disaster declarations were issued on August 25, 2017, (FEMA-DR-4332); September 10, 2017, (FEMA-DR-4336 and FEMA-DR-4337) and September 15, 2017, (FEMA-DR-4338) and September 20, 2017, (FEMA-DR-4339) for Hurricanes Harvey, Irma, and Maria, respectively. The waiver granted will allow grantees to expedite recovery efforts for low and moderate income residents affected by the flooding and severe wind damage from these events.

Contact: Steve Johnson, Director, Entitlement Communities Division, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 7282, Washington, DC 20410, telephone (202) 402-4548.

- **Regulation:** 24 CFR 91.105(c)(2) and (k) and 24 CFR 91.115(c)(2) and (i).

Project/Activity: The Commonwealth of Puerto Rico and the U.S. Virgin Islands experienced substantial property damage resulting from Hurricanes Irma and Maria in September 2017. Starting in early September, 2017, the Federal Emergency Management Agency (FEMA) issued disaster declarations eventually covering the entire U.S. Virgin Islands and the Commonwealth of Puerto Rico. Grantees in these jurisdictions seeking to expedite assistance for residents and businesses affected by the hurricanes and to quickly reallocate CDBG, HOME, HOPWA, and ESG funds found property and living conditions made it difficult to provide reasonable notice in accordance with their citizen participation plans.

Nature of Requirement: The regulations at 24 CFR 91.105(c)(2) and (k) and 24 CFR 91.115(c)(2) and (i) require grantees to provide reasonable notice and opportunity to comment, in accordance with a grantee's citizen participation plan, for substantial amendments to the consolidated plan. The citizen participation plan must state how reasonable notice and opportunity to comment will be given.

Granted By: Neal Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: HUD recognizes that the destruction wrought by Hurricanes Irma and Maria make it difficult for impacted jurisdictions in the Commonwealth of Puerto Rico and the U.S. Virgin Islands to provide notice to their citizens in accordance with their citizen participation plans. Given these circumstances, HUD's waiver will allow these grantees to determine what constitutes reasonable notice and opportunity to comment on substantial amendments through the end of their 2017 program year.

Contact: Steve Johnson, Director, Entitlement Communities Division, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7282, Washington, DC 20410, telephone (202) 402-4548.

- **Regulation:** 24 CFR 92.203(a)(1) and (2) and 24 CFR 92.64(a) (Virgin Islands)

Project/Activity: Several HOME participating jurisdictions were affected by Hurricanes Harvey, Irma, and Maria that caused severe flooding and wind damage resulting in substantial property loss and destruction. Presidentially-declared disaster declarations were issued on August 25, 2017, (FEMA-DR-4332); September 10, 2017, (FEMA-DR-4336 and FEMA-DR-4337) and September 15, 2017, (FEMA-DR-4338); and September 20, 2017, (FEMA-DR-4339) for Hurricanes Harvey, Irma, and Maria, respectively. Many families whose homes were destroyed or damaged by the hurricanes will not have any documentation of income,

as required by the HOME regulations, and thus, will not be able to qualify for HOME assistance.

Nature of Requirements: 24 CFR 92.203(a)(1) and (2) and 24 CFR 92.64(a) require initial income determinations for HOME beneficiaries be made after examining source documents covering the most recent two months of family income.

Granted By: Neal J. Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: The waiver granted will allow participating jurisdictions to expedite recovery efforts for low and moderate income residents affected by the flooding and severe wind damage from these events by waiving the requirements that participating jurisdictions examine the most two recent months of source documents when performing initial income determinations for families that are displaced by the disaster (as documented by FEMA registration) whose income documentation was destroyed or made inaccessible by the hurricanes. Displaced families will have the ability to self-certify that they meet the income eligibility requirements for HOME assistance in lieu of source documentation. The waiver is in effect for the six months following October 13, 2017. Participating jurisdictions in these Presidentially-declared disaster areas that wish to exercise the flexibility provided by these waivers must notify the CPD Director in the local HUD Field Office in writing of their intention to do so.

Contact: Virginia Sardone, Director, Office of Affordable Housing Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 10170, Washington, DC 20410, telephone (202) 708-2684.

• **Regulation:** 24 CFR 92.222(b).

Project/Activity: Several HOME participating jurisdictions were affected by Hurricanes Harvey, Irma, and Maria that caused severe flooding and wind damage resulting in substantial property loss and destruction. Presidentially-declared disaster declarations were issued on August 25, 2017, (FEMA-DR-4332); September 10, 2017, (FEMA-DR-4336 and FEMA-DR-4337) and September 15, 2017, (FEMA-DR-4338); and September 20, 2017, (FEMA-DR-4339) for Hurricanes Harvey, Irma, and Maria, respectively. This waiver will allow participating jurisdictions to focus their recovery efforts for low and moderate income residents affected by the flooding and severe wind damage by reducing their match requirement by 100% for FY 2017 and FY 2018.

Nature of Requirements: 24 CFR 92.222(b) requires that each fiscal year all HOME participating jurisdictions make contributions totaling a minimum of 25% of the HOME funds drawn from their HOME Investment Trust Fund Treasury account to housing that qualifies as affordable housing under the HOME program.

Granted By: Neal J. Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: HUD recognizes the urgent housing needs created by Hurricanes Harvey, Irma, and Maria, and the substantial financial impact faced by participating jurisdictions focused on recovery efforts. By reducing the match requirement by 100% during FY 2017 and FY 2018, HUD relieves the participating jurisdictions in the declared disaster areas from the need to identify and provide matching contributions to HOME projects. For State participating jurisdictions, this match reduction applies to HOME funds expended in the declared disaster area. Participating jurisdictions in these Presidentially-declared disaster areas that wish to exercise the flexibility provided by this waiver must notify the CPD Director in the local HUD Field Office in writing of their intention to do so.

Contact: Virginia Sardone, Director, Office of Affordable Housing Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 10170, Washington, DC 20410, telephone (202) 708-2684.

• **Regulation:** 24 CFR 92.251 and 24 CFR 92.64(a) (Virgin Islands) Property Standards for HOME-assisted units.

Project/Activity: Several HOME participating jurisdictions were affected by Hurricanes Harvey, Irma, and Maria that caused severe flooding and wind damage resulting in substantial property loss and destruction. Presidentially-declared disaster declarations were issued on August 25, 2017, (FEMA-DR-4332); September 10, 2017, (FEMA-DR-4336 and FEMA-DR-4337) and September 15, 2017, (FEMA-DR-4338); and September 20, 2017, (FEMA-DR-4339) for Hurricanes Harvey, Irma, and Maria, respectively. This waiver will allow participating jurisdictions to meet critical housing needs of families whose housing was damaged and families who were displaced by the hurricanes by waiving applicable HUD property standard requirements for repair of properties damaged by the hurricanes.

Nature of Requirements: 24 CFR 92.251 and 24 CFR 92.64(a) require that housing assisted with HOME funds must meet property standards applicable to the type of activity undertaken, i.e., for homebuyer assistance, and state and local standards and codes or model codes for rehabilitation and new construction.

Granted By: Neal J. Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: HUD recognizes the urgent housing needs created by Hurricanes Harvey, Irma, and Maria. Waiving these provisions for housing units located in the declared disaster areas that were damaged by the hurricanes will allow participating jurisdictions to meet the critical housing needs of families affected by the storms. This waiver only applies to housing units located in the declared disaster area which were damaged by the disaster and to which HOME funds are committed within two years of October 13, 2017. Units will still be required to meet State and local health and safety codes, as well as lead housing safety regulations established in 24 CFR part 35.

Participating jurisdictions in these Presidentially-declared disaster areas that wish to exercise the flexibility provided by this waiver must notify the CPD Director in the local HUD Field Office in writing of their intention to do so.

Contact: Virginia Sardone, Director, Office of Affordable Housing Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 10170, Washington, DC 20410, telephone (202) 708-2684.

• **Regulation:** 24 CFR 92.500(d)(2)(i)(C).

Project/Activity: HOME Program Expenditure Requirement.

The city of Pasadena, California, requested a waiver of 24 CFR 92.500(d)(2)(i)(C) for its Fiscal Year 2012 HOME expenditure deadline to provide additional time to expend HOME funds it recently repaid to its HOME account and unexpected funds it received as program income.

Nature of Requirement: The regulation at 24 CFR 92.500(d)(2)(i)(C) requires a participating jurisdiction to expend its annual allocation of HOME funds within five years after HUD notifies the participating jurisdiction that HUD has executed the jurisdiction's HOME Investment Partnership Agreement.

Granted By: Neal J. Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 2, 2017.

Reason Waived: The city repaid \$447,889 to its HOME account in November 2016 for ineligible expenditures and received \$926,707 of unanticipated program income during its 2015 and 2016 HOME program years due to borrower refinancing and repayment of loans prior to maturity. A total of \$1,374,596 was deposited in the city's HOME account, which is equivalent to almost three times the city's most recent HOME grant amount. The city had inadequate time to expend all the additional funds by its August 31, 2017, deadline, resulting in \$626,541.82 being unexpended at the deadline. The waiver was granted to provide the city additional time to commit and expend these unanticipated funds.

Contact: Virginia Sardone, Director, Office of Affordable Housing Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 10170, Washington, DC 20410, telephone (202) 708-2684.

• **Regulation:** 24 CFR 570.207(b)(4) (Entitlements) and 24 CFR 570.420(b)(3) (U.S. Virgin Islands).

Project/Activity: All Community Development Block Grant (CDBG) grantees located within and outside declared disaster areas assisting persons and families who have registered with FEMA in connection with Hurricanes Harvey, Irma, and Maria.

Nature of Requirement: The CDBG regulations at 24 CFR 570.420(b)(3) (U.S. Virgin Islands) make applicable 24 CFR 570.207(b)(4) (Entitlements), which prohibit income payments, but permit emergency grant payments for three months. "Income payments" means a series of subsistence-type grant payments made to an individual or

family for items such as food, clothing, housing (rent or mortgage), or utilities. Emergency grant payments made over a period of up to three consecutive months to the providers of such items and services on behalf of an individual or family are eligible public services.

Granted By: Neal Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: HUD waives the provisions of 24 CFR 570.207(b)(4) and 24 CFR 570.420(b)(3) to permit emergency grant payments for items such as food, clothing, housing (rent or mortgage), or utilities for up to six consecutive months. While this waiver allows emergency grant payments to be made for up to six consecutive months, the payments must still be made to service providers as opposed to the affected individuals or families. Many individuals and families have been forced to abandon their homes due to the severe flooding, storm surge, damaging winds and rain associated with Hurricanes Harvey, Irma, and Maria. The waiver will allow CDBG grantees, including grantees providing assistance to evacuees outside the declared-disaster areas, to pay for the basic daily needs of individuals and families affected by the hurricane on an interim basis. This authority is in effect through the end of the grantee's 2018 program year.

Contact: Steve Johnson, Director, Entitlement Communities Division, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7282, Washington, DC 20410, telephone (202) 402-4548.

• **Regulation:** 24 CFR 574.310(b).

Project/Activity: All Housing Opportunities for Persons with AIDS (HOPWA) grantees located in declared-disaster areas (FEMA-DR-4322, FEMA-DR-4335, FEMA-DR-4336, FEMA-DR-4337, FEMA-DR-4338, FEMA-DR-4339, and FEMA-DR-4340) stemming from Hurricanes Harvey, Irma, and Maria upon notification by the grantee to the Community Planning and Development Director in its respective HUD Field Office.

Nature of Requirement: HUD's regulation at 24 CFR 574.310(b) provides that units occupied by recipients of HOPWA Tenant-Based Rental Assistance (TBRA) meet the Housing Quality Standards (HQS) established in that section.

Granted By: Neal Rackleff, Assistant Secretary, Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: Rental units in the declared-disaster areas experienced property damage from the severe flooding and devastating winds associated with Hurricanes Harvey, Irma, and Maria. The granted waiver allows HOPWA grantees and project sponsors to expeditiously meet the critical housing needs of the many eligible families affected by Hurricanes Harvey, Irma, and Maria in the declared disaster areas. The waiver only applies to units in the declared-disaster areas occupied by HOPWA beneficiaries and HOPWA-eligible families.

Units must meet HOPWA HQS within 60 days.

Contact: Rita Flegel, Director, Office of HIV/AIDS Housing, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 7248, Washington, DC 20410, telephone (202) 402-5374.

• **Regulation:** 24 CFR 574.320(a)(2).

Project/Activity: All HOPWA grantees located in declared-disaster areas (FEMA-DR-4322, FEMA-DR-4335, FEMA-DR-4336, FEMA-DR-4337, FEMA-DR-4338, FEMA-DR-4339, and FEMA-DR-4340) stemming from Hurricanes Harvey, Irma, and Maria upon notification by the grantee to the Community Planning and Development Director in its respective HUD Field Office.

Nature of Requirement: HUD's regulation at 24 CFR 574.320(a)(2) provides that HOPWA grantees must establish rent standards for their TBRA programs based on Fair Market Rent. Generally, the TBRA payment may not exceed the difference between the rent standard and 30 percent of the family's adjusted income.

Granted By: Neal Rackleff, Assistant Secretary, Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: Several HOPWA grantees and project sponsors were impacted by Hurricanes Harvey, Irma, and Maria. The waiver granted allows for expedited efforts to identify suitable housing units in the declared-disaster areas for rent to HOPWA beneficiaries and HOPWA-eligible families that have been affected by the hurricanes, and to provide assistance to families in the declared-disaster areas that must rent units at rates that exceed the HOPWA grantee's normal rent standard as calculated in accordance with 24 CFR 574.320(a)(2). Such rent standards are to be used only within the disaster-declared area in calculating the TBRA subsidy for families affected by Hurricanes Harvey, Irma, and Maria.

Contact: Rita Flegel, Director, Office of HIV/AIDS Housing, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 7248, Washington, DC 20410, telephone (202) 402-5374.

• **Regulation:** 24 CFR 574.530.

Project/Activity: All HOPWA grantees assisting families displaced by the disasters (FEMA-DR-4322, FEMA-DR-4335, FEMA-DR-4336, FEMA-DR-4337, FEMA-DR-4338, FEMA-DR-4339, and FEMA-DR-4340) stemming from Hurricanes Harvey, Irma, and Maria upon notification by the grantee to the Community Planning and Development Director in its respective HUD Field Office.

Nature of Requirement: HUD's regulation at 24 CFR 574.530 provides that each HOPWA grantee must maintain records to document compliance with HOPWA requirements, which includes determining the eligibility of a family to receive HOPWA assistance.

Granted By: Neal Rackleff Assistant Secretary, Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: Many families whose homes have been destroyed or damaged by

Hurricanes Harvey, Irma, or Maria will not have immediate access to documentation of income or medical records and, consequently, will not be able to document their eligibility for HOPWA assistance if the requirement remains effective. The waiver granted allows HOPWA grantees and project sponsors to rely upon a family member's self-certification of income and credible information on their HIV status (such as knowledge of their HIV-related medical care) in lieu of source documentation to determine eligibility for HOPWA assistance of families affected by the hurricanes. This waiver only applies to families displaced by the disasters that have registered with the Federal Emergency Management Agency (FEMA).

Contact: Rita Flegel, Director, Office of HIV/AIDS Housing, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street SW, Room 7248, Washington, DC 20410, telephone (202) 402-5374.

• **Regulation:** 24 CFR 576.105(a)(5), 576.105(b)(2), 576.106(a).

Project/Activity: HUD granted a waiver of 24 CFR 576.105(a)(5), 576.105(b)(2), 576.106(a) to States, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and other Emergency Solutions Grants (ESG) recipients located in the counties and county equivalents (islands of the U.S. Virgin Islands and municipalities of Puerto Rico) designated in the following major disaster declarations: FEMA-DR-4322, FEMA-DR-4335, FEMA-DR-4336, FEMA-DR-4337, FEMA-DR-4338, FEMA-DR-4339, FEMA-DR-4340. The waiver allows recipients and their subrecipients to exceed the required term limits on rental assistance and housing relocation and stabilization services to provide up to three consecutive years of rental assistance, utility payments, and housing stability case management, in addition to the 30 days of housing stability case management that may be provided before the move into permanent housing under 24 CFR 576.105(b)(2) for eligible individuals and families that: 1) live in a declared-disaster area or were displaced from a declared-disaster area as a result of the hurricanes and flooding; 2) have registered with FEMA; and 3) are currently receiving rental assistance or housing relocation or stabilization services or begin receiving rental assistance or housing relocation stabilization services within two years after the date of the waiver.

Nature of Requirement: The ESG regulation at 576.105(a)(5) prohibits a program participant from receiving more than 24 months of utility payments under ESG during any three-year period. Section 576.105(b)(2) limits the provision of housing stability case management to 30 days while the program participant is seeking permanent housing and 24 months while the program participant is living in permanent housing. Section 576.106(a) prohibits a program participant from receiving more than 24 months of ESG rental assistance during any three-year period.

Granted By: Neal Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: HUD granted the waiver to facilitate assistance to individuals and families affected by Hurricanes Harvey, Irma, and Maria. Specifically, waiving the 24-month limits on rental assistance, utility payments, and housing stability case management assistance will assist individuals and families, both those already receiving assistance and those who will receive assistance subsequent to the date of the waiver memorandum (October 13, 2017), to maintain stable permanent housing in place or in another area and help them return to their hometowns, as desired, when additional permanent housing is available. The waiver was conditioned on each ESG recipient providing HUD advance written notice of the declared disaster areas in which the recipient would use the waiver and the date on which the recipient planned to begin using the waiver.

Contact: Norm Suchar, Director, Office of Special Needs Assistance Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 7262, Washington, DC 20410, telephone (202) 708-4300.

• **Regulation:** 24 CFR 576.106(d)(1).

Project/Activity: HUD granted a waiver of 24 CFR 576.106(d)(1) to States, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and other ESG recipients located in the counties and county equivalents (islands of the U.S. Virgin Islands and municipalities of Puerto Rico) designated in the following major disaster declarations: FEMA-DR-4322, FEMA-DR-4335, FEMA-DR-4336, FEMA-DR-4337, FEMA-DR-4338, FEMA-DR-4339, FEMA-DR-4340. The waiver allows grantees and their subrecipients to provide rental assistance for units for which the total rent exceeds the Fair Market Rent (FMR) established by HUD, as provided under 24 CFR part 888. The FMR restriction is waived for any rent amount that takes effect during the two-year period beginning on the date of the waiver memorandum (October 13, 2017) for any individual or family who is renting or executes a lease for a unit in a declared-disaster area and has registered with FEMA. However, the affected recipients and their subrecipients must still ensure that the units in which ESG assistance is provided to these individuals and families meet the rent reasonableness standard.

Nature of Requirement: Under 24 CFR 576.106(d)(1), rental assistance cannot be provided unless the total rent is equal to or less than the FMR established by HUD, as provided under 24 CFR part 888, and complies with HUD's standard of rent reasonableness, as established under 24 CFR 982.507.

Granted By: Neal Rackleff, Assistant Secretary for Community Planning and Development.

Date Granted: October 13, 2017.

Reason Waived: HUD granted the waiver to facilitate assistance to individuals and families affected by Hurricanes Harvey, Irma, and Maria. Specifically, HUD determined that the rental vacancy rate in affected areas after the floods is extraordinarily low, and waiving the FMR restriction would make

more units available to individuals and families in need of permanent housing. The waiver was conditioned on each ESG recipient providing HUD advance written notice of the declared disaster areas in which the recipient would use the waiver and the date on which the recipient planned to begin using the waiver.

Contact: Norm Suchar, Director, Office of Special Needs Assistance Programs, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 7262, Washington, DC 20410, telephone number (202) 708-4300.

II. Regulatory Waivers Granted by the Office of Housing—Federal Housing Administration (FHA)

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

• **Regulation:** 24 CFR 219.220(b).

Project/Activity: Westerly II Apartments, FHA Project Number 042-SH023, Lakewood, Ohio. Lakewood Senior Citizens, Incorporated (Owner) seeks approval to defer repayment of the Flexible Subsidy Operating Assistance Loan on the subject project.

Nature of Requirement: The regulation at 24 CFR 219.220(b) (1995), which governs the repayment of operating assistance provided under the Flexible Subsidy Program for Troubled Properties, states "Assistance that has been paid to a project owner under this subpart must be repaid at the earlier of the expiration of the term of the mortgage, termination of mortgage insurance, prepayment of the mortgage, or a sale of the project."

Granted By: Dana T. Wade, Principal Deputy Assistant Secretary for Housing.

Date Granted: December 20, 2017.

Reason Waived: The owner requested and was granted a waiver of the requirement to repay the Flexible Subsidy Operating Assistance Loan in full when it became due. Deferring the loan payment will preserve this affordable housing resource for an additional 20 years through the execution and recordation of a Rental Use Agreement.

Contact: Crystal Martinez, Senior Account Executive, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 6174, Washington, DC 20410-8000, telephone: (202) 402-3718.

• **Regulation:** 24 CFR 232.7.

Project/Activity: Countryhouse-Kensington Algonquin, FHA Project Number 052-22110, is an assisted living facility serving memory care residents. The facility does not meet the requirements of 24 CFR 232.7 "Bathroom" of FHA's regulations in the memory care units. The project is located in Cumberland, Maryland.

Nature of Requirement: The regulation at 24 CFR 232.7 mandates in a board and care home or assisted living facility that not less than one full bathroom must be provided for every four residents. Also, the bathroom cannot be accessed from a public corridor or area.

Granted By: Dana T. Wade, General Deputy Assistant Secretary for Housing.

Date Granted: October 25, 2017.

Reason Waived: The project has 15 memory care units, with 22 beds. Each unit has a half-bathroom, with access to a shower room down a secured hallway. The resident to shower ratio is 5.5: 1. The memory care residents require assistance with bathing. The project meets the State of Maryland's licensing requirements for bathing and toileting facilities.

Contact: Vance T. Morris, Operations Manager, Office of Healthcare Programs, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street SW, Room 2337, Washington, DC 20401, telephone (202) 402-2419.

• **Regulation:** 24 CFR 891.100(d).

Project/Activity: Pollywog Creek Senior Housing, Labelle, Hendry County, FL, Project Number: 066EE120/FL29-S101-006. The owner requested to restore the undisbursed funds to project to the original Capital Advance amount to complete the construction after the Capital Advance had expired. The project is only 75% complete.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to closing. Subject to the availability of funds, HUD may amend the amount of an approved capital advance only after initial closing has occurred.

Granted By: Dana T. Wade, General Deputy Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 15, 2017.

Reason Waived: The owner requested and granted a waiver to restore the Capital Advance to complete construction of the project. The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

Contact: Alicia Anderson, Branch Chief, Grants and New Funding, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 6138, Washington, DC 20410, telephone (202) 402-5787.

• **Regulation:** 24 CFR 891.100(d).

Project/Activity: VOA Living Center of Lake City, Lake City, FL, Project Number: O63HD030/FL29-Q101-004. The owner requested an increase in the Capital Advance to cover the increase in construction costs.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to closing. Subject to the availability of funds, HUD may amend the amount of an approved capital advance only after initial closing has occurred.

Granted By: Dana T. Wade, General Deputy Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 15, 2017.

Reason Waived: The owner requested and granted a waiver to increase the capital advance for the subject project. The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

Contact: Alicia Anderson, Branch Chief, Grants and New Funding, Office of Housing, Department of Housing and Urban

Development, 451 Seventh Street, SW, Room 6138, Washington, DC 20410, telephone (202) 402-5787.

- **Regulation:** 24 CFR 891.100(d).

Project/Activity: J. Michael Fitzgerald Apartments, Chicago, IL. Project Number: 071-EE25520/IL06-S101-016.

Nature of Requirement: Section 891.100(d) prohibits amendment of the amount of the approved capital advance funds prior to closing.

Granted By: Dana T. Wade, General Deputy Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 15, 2017

Reason Waived: The project is economically designed and comparable in cost to similar projects in the area, and the sponsor/owner has exhausted all efforts to obtain additional funding from other sources.

Contact: Alicia Anderson, Branch Chief, Grants and New Funding, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 6138, Washington, DC 20410, telephone (202) 402-5787.

- **Regulation:** 24 CFR 891.165.

Project/Activity: Bill Sorro Community, San Francisco, CA. Project Number: 121-HD097/CA39-Q101-003.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18-months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

Granted By: Dana T. Wade, General Deputy Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: December 15, 2017

Reason Waived: Additional time was needed for the Sponsor to facilitate the completion of necessary development processes for this Capital Advance Upon Completion project. Time delays were associated with the coordination of different complexities of funding sources and construction delays.

Contact: Alicia Anderson, Branch Chief, Grants and New Funding, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 6138, Washington, DC 20410, telephone (202) 402-5787.

- **Regulation:** 24 CFR 891.165.

Project/Activity: Mercy Arc Housing-1500 Page Street, San Francisco, CA. Project Number: 121-HD099/CA39-Q101-005.

Nature of Requirement: Section 891.165 provides that the duration of the fund reservation of the capital advance is 18-months from the date of issuance with limited exceptions up to 36 months, as approved by HUD on a case-by-case basis.

Granted By: Dana T. Wade, General Deputy Assistant Secretary for Housing—Federal Housing Commissioner.

Date Granted: December 15, 2017.

Reason Waived: Additional time was needed for the Sponsor to facilitate the completion of necessary development processes for this Capital Advance Upon Completion project. Time delays were associated with the coordination of different complexities of funding sources and construction delays.

Contact: Alicia Anderson, Branch Chief, Grants and New Funding, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 6138, Washington, DC 20410, telephone (202) 402-5787.

IV. Regulatory Waivers Granted by the Office of Public and Indian Housing

For further information about the following regulatory waivers, please see the name of the contact person that immediately follows the description of the waiver granted.

- **Regulation:** 2 CFR 200.311(c)(1).

Project/Activity: The New York City Housing Authority (NYCHA) requested that HUD grant it an exception from the requirement at 2 CFR 200.311(c)(1) to compensate HUD for HUD's percentage of participation in the costs of the Baychester and Murphy public housing properties. This request was made pursuant to a request by NYCHA to retain these properties (outside of public housing requirements) under 2 CFR 200.311. NYCHA (and these properties) are located in New York, NY.

Nature of Requirement: 2 CFR 200.311(c)(1) states that "[w]hen real property is no longer needed for the originally authorized purpose," HUD must provide disposition instructions whereby a non-Federal entity (in this case, a Public Housing Agency (PHA)) can retain title after compensating HUD. "The amount paid to [HUD] will be computed by applying [HUD's] percentage of participating in the cost of the original purchase (and costs of any improvements) to the fair market value of the property."

Granted By: Dominique Blom, General Deputy Assistant Secretary, Public and Indian Housing, granted this exception pursuant to 2 CFR 200.102(b). Under this authority, HUD has the authority to grant requests to the compensation requirement of 2 CFR 200.311(c)(1) on a case-by-case basis.

Date Granted: December 1, 2017.

Reason Waived: NYCHA did not use public housing funds to acquire the Baychester and Murphy properties. HUD's percentage of participation in the cost of the Baychester and Murphy properties was 11.1% and 7.7%. NYCHA justified its request for the exception to compensate HUD on its intent to operate the properties as affordable housing outside of the public housing program. Specifically, NYCHA indicated it would add all units at these properties to a Section 8 project-based voucher (PBV) HAP that was executed on March 16, 2010 that was already in effect for others unit at the properties. HUD granted this request based on the continued future use of the properties as housing for low-income families through the PBV program and the relatively low percentage of HUD funds in these properties. HUD's approval required NYCHA to record a 40-year use restriction against the properties that required the properties to be operated as Section 8 PBV housing for low-income families.

Contact: Susan A. Wilson, Acting Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, 451 Seventh Street SW, Room 4130, Washington, DC 20410, telephone (202) 402-4500.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Bayamon (RQ011).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing

Date Granted: November 8, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The HA serves Section 8 Families in Bayamon and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Puerto Rico Housing Finance Corp (RQ911).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 8, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The HA serves Section 8 Families in Puerto Rico and will use the requested flexibilities to better assist families

displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012–10 Section 8(c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Orocovis (RQ080).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 8, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Orocovis and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Toa Baja (RQ022).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 8, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Toa Baja and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Arecibo (RQ020).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing

Date Granted: November 8, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Arecibo and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate

Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Guaynabo (RQ016).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 8, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist With Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Guaynabo and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Carolina (RQ014).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing

Date Granted: November 8, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The

Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Carolina and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Ponce (RQ008).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 8, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Ponce and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Ciales (RQ052).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine

months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 9, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The HA serves Section 8 Families in Ciales and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Puerto Rico Department of Housing (RQ901).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 9, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The HA serves Section 8 Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Villalba (RQ049).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 14, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality, Section 8 only, serves Housing Choice Voucher Families in Villalba and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Juncos (RQ077).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 21, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and

Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Juncos and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c), 24 CFR 5.801(d)(1) and 24 CFR 902.

Project/Activity: Puerto Rico Public Housing Administration (RQ005).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD’s Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 21, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The HA serves Public Housing Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE June 30, 2017, physical inspection. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c)

(Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c), 24 CFR 5.801(d)(1) and 24 CFR 902.

Project/Activity: Puerto Rico Public Housing Administration (RQ005).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD’s Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 21, 2017.

Reason Waived: The HA requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The HA serves Public Housing Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE June 30, 2017, physical inspection. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Port Lavaca Housing Authority (TX395).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the

Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD’s Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 21, 2017.

Reason Waived: The HA requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Harvey and located in Category C of the applicable Major Disaster Declaration. The HA serves Public Housing and Section 8 Families in Port Lavaca, and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. HA is waived from FYE June 30, 2017 and June 30, 2018, physical inspections.

Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c), 24 CFR 5.801(d)(1) and 24 CFR 902.

Project/Activity: Puerto Rico Public Housing Administration (RQ005).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD’s Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 21, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and

Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The HA serves Public Housing Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE September 30, 2017, physical inspection. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c), 24 CFR 5.801(d)(1) and 24 CFR 902.

Project/Activity: Miami-Dade Housing and Community Development (FL005).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD’s Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 22, 2017.

Reason Waived: The HA requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Irma and located in Category B of the applicable Major Disaster Declaration. The HA serves Public Housing and Section 8 Families in Miami-Dade, and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE September 30, 2018, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate

Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Cidra (RQ062).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 22, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Cidra and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c), 24 CFR 5.801(d)(1) and 24 CFR 902.

Project/Activity: Virgin Islands Housing Authority (VQ001, VQ901).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD’s Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 22, 2017.

Reason Waived: The HA requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricanes Irma and Maria, and located in Category B and C of the applicable Major Disaster Declaration. The HA serves Public Housing and Section 8 Families in the U.S. Virgin Islands and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension of filing audited financial information for 12 months. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE December 31, 2018, physical inspections. Additionally, the HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Naranjito (RQ064).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 29, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Naranjito and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate

Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Canovanas (RQ075).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 5, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Canovanas and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Cayey (RQ018).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 7, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in

2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Sabastian (RQ026).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 7, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Sebastian and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Gurabo (RQ041).

Nature of Requirement: The regulation establishes certain reporting compliance

dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 7, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Aguada (RQ073).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 7, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not

apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c), 24 CFR 5.801(d)(1) and 24 CFR 902.

Project/Activity: Houston Housing Authority (TX005).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 7, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The HA is recovering from damages related to Hurricane Harvey and located in Category A of the applicable Major Disaster Declaration. The HA serves Public Housing and Housing Choice Voucher Families in Houston, and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE December 31, 2017, physical inspection. Additionally, the HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Las Piedras (RQ063).

Nature of Requirement: The regulation establishes certain reporting compliance

dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 8, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Las Piefras and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Aibonito (RQ059).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 11, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Public Housing Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension

does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Deerfield Beach Housing Authority (FL081).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR–6050–N–01 (October 6, 2017). The HA is recovering from damages related to Hurricane Irma and located in Category B of the applicable Major Disaster Declaration. The HA serves Public Housing and Housing Choice Voucher Families in Deerfield Beach and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Mayaguez (RQ009).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and

Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Mayaguez and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Moca (RQ010).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Moca and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Manati (RQ028).

Nature of Requirement: The regulation establishes certain reporting compliance

dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Comerio (RQ034).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Comerio and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the

Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Florida (RQ072).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Florida and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Hatillo (RQ039).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 13, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery

and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Section 8 Families in Hatillo and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 902.

Project/Activity: Ingleside Housing Authority (TX317).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD’s Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The HA requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The HA is recovering from damages related to Hurricane Harvey and located in Category A of the applicable Major Disaster Declaration. The HA serves Housing Choice Voucher Families in Ingleside and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE December 31, 2017, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW,

Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c), 24 CFR 5.801(d)(1) and 24 CFR 902.

Project/Activity: Municipality of Camuy (RQ040).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD’s Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricanes Irma and Maria located in Category A of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Camuy, and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE June 30, 2017, physical inspection. Additionally, the HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Lajas (RQ071).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Lajas and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

- **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Barceloneta (RQ054).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority’s (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Barceloneta and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate

Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Luquillo (RQ081).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Luquillo and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Vieques (RQ074).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in

2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category B of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Vieques and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Lares (RQ065).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Lares and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Cabo Rojo (RQ061).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Puerto Rico and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Dorado (RQ015).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 28, 2017.

Reason Waived: The Municipality requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Dorado and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial

approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Guayanilla (RQ021).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 28, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Guayanilla and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. Additionally, the HA is waived from Notice PIH 2012–10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC–EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Municipality of Aguas Buenas (RQ082).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 28, 2017.

Reason Waived: The Municipality requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The Municipality is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The Municipality serves Housing Choice Voucher Families in Aguas Buenas and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

• **Regulation:** 24 CFR 5.801(c) and 24 CFR 5.801(d)(1).

Project/Activity: Housing Authority of Pompano Beach (FL028).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 28, 2017.

Reason Waived: The HA requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The HA is recovering from damages related to Hurricane Maria and located in Category C of the applicable Major Disaster Declaration. The HA serves Housing Choice Voucher Families in Pompano Beach and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

• **Regulation:** 24 CFR 902.

Project/Activity: St. Petersburg Housing Authority (FL002).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 6, 2017.

Reason Waived: The HA requested “Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017,” FR–6050–N–01 (October 6, 2017). The HA is recovering from damages related to Hurricane Irma and located in Category B of the applicable Major Disaster Declaration. The HA serves Section 8 Families in Florida and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE December 31, 2017, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475–7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Housing Authority of the City of Beaumont (TX023).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A–133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 6, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Harvey and located in Category A of the applicable Major Disaster Declaration. The HA serves Public Housing and Section 8 Families in Texas and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE September 30, 2017, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Deep East Texas Council of Governments (TX512).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 21, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Harvey and located in Category A of the applicable Major Disaster Declaration. The HA serves Section 8 Families in Texas, and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. HA is waived from FYE June 30, 2017, physical inspections. Additionally, HA is waived from

Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Winter Haven Housing Authority (FL139).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 29, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Irma and located in Category B of the applicable Major Disaster Declaration. The HA serves Public Housing and Section 8 Families in Winter Haven, and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE September 30, 2018, physical inspection. Additionally, the HA is waived from Notice PIH 2012-10 Section 8 (c) (Verification of the Social Security Number (SSN)) (REAC-EIV).

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Housing Authority of the City of Miami Beach (FL017).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the

Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 5, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Irma and located in Category B of the applicable Major Disaster Declaration. The HA serves Public Housing Families in Florida, and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE June 30, 2018, physical inspections.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Aransas Pass Housing Authority (TX313).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 7, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Harvey and located in

Category A of the applicable Major Disaster Declaration. The HA serves Public Housing and Section 8 Families in Texas, and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE March 31, 2018, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Goliad Housing Authority (TX510).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 11, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Maria and located in Category A of the applicable Major Disaster Declaration. The HA serves Section 8 Families in Texas and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE September 30, 2017, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Gregory Housing Authority (TX302).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Harvey and located in Category A of the applicable Major Disaster Declaration. The HA serves Housing Choice Voucher and Public Housing Families in Gregory and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE March 31, 2017, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Palm Beach County Housing Authority (FL080).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 12, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs

to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Irma and located in Category B of the applicable Major Disaster Declaration. The HA serves Housing Choice Voucher and Public Housing Families in Palm Beach and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE September 30, 2017, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

• **Regulation:** 24 CFR 902.

Project/Activity: Ingleside Housing Authority (TX317).

Nature of Requirement: The regulation establishes certain reporting compliance dates. The audited financial statements are required to be submitted to the Real Estate Assessment Center (REAC) no later than nine months after the housing authority's (HA) fiscal year end (FYE), in accordance with the Single Audit Act and OMB Circular A-133. Physical inspections are required to ensure that public housing units are decent, safe, sanitary and in good repair, as determined by an inspection conducted in accordance with HUD's Uniform Physical Condition Standards (UPCS). Baseline inspections will have all properties inspected regardless of previous PHAS designation or physical inspection scores.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 19, 2017.

Reason Waived: The HA requested "Relief from HUD Requirements Available to PHAs to Assist with Recovery and Relief Efforts on Behalf of Families Affected by Hurricanes Harvey, Irma and Future Natural Disasters Where Major Disaster Declarations Might Be Issued in 2017," FR-6050-N-01 (October 6, 2017). The HA is recovering from damages related to Hurricane Harvey and located in Category A of the applicable Major Disaster Declaration. The HA serves Housing Choice Voucher Families in Ingleside and will use the requested flexibilities to better assist families displaced by the recent natural disasters. The audited financial approval only permits the extension for filing. This FASS audited financial submission extension does not apply to Single Audit submissions to the Federal Audit Clearinghouse; the HA is required to meet the Single Audit due date. The HA is waived from FYE December 31, 2017, physical inspection.

Contact: Dee Ann R. Walker, Acting Program Manager, NASS, Real Estate

Assessment Center, Office of Public and Indian Housing, Department of Housing and Urban Development, 550 12th Street, SW, Suite 100, Washington, DC 20410, telephone (202) 475-7908.

- **Regulation:** 24 CFR 903.5.

Project/Activity: Public Housing Agency (PHA) Plans.

Nature of Requirement: A PHA must submit the PHA Plan to HUD no later than 75 days before the commencement of the PHA's fiscal year.

Granted By: General Deputy Assistant Secretary for Public and Indian Housing

Date Granted: November 6, 2017.

Reason Waived: The PHA offices and public housing units were destroyed due to flooding by Hurricane Matthew, Presidential Disaster Declaration DR-4285.

Contact: Monica Shepherd, Public Housing Management and Occupancy Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4208, Washington, DC 20410, telephone (202) 402-5687.

- **Regulation:** 24 CFR 982.161(a)(3) and 24 CFR 982.161(c).

Project/Activity: Lafayette Housing Authority (LHA) in Lafayette, Louisiana, requested a waiver for HUD to continue HAP payments for a housing choice voucher unit.

Nature of Requirement: The regulation 24 CFR § 982.161(a)(3), states that neither the PHA nor any of its contractors or subcontractors may enter into any contract or arrangement in connection with the tenant-based programs with any public official, member of a governing body, or state or local legislator, who exercises functions or responsibilities with respect to the programs. However, the regulation 24 CFR 982.161(c), allows the conflict of Interest prohibition to be waived by the Department for good cause.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: October 10, 2017.

Reason Waived: HUD evaluated the good cause presented in this case being the financial and physical hardship of requiring the family to move and also the agency's attempt to resolve the conflict.

Contact: Becky Primeaux, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, D.C. 20410, telephone (202) 708-0477.

- **Regulation:** 24 CFR 982.505(d).

Project/Activity: Grays Harbor County (HAGHC) in Aberdeen, Washington, requested a waiver for HUD to approve an exception payment standard of 157 percent of the one-bedroom FMR as a reasonable accommodation under its HCV Program.

Nature of Requirement: The regulation, 24 CFR 982.505(d) states that the PHA may establish an exception payment standard of not more than 120 percent of the published FMR if required as a reasonable accommodation for a family that includes a person with a disability.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: October 19, 2017.

Reason Waived: This regulation was waived as a reasonable accommodation to allow a disabled participant to receive housing assistance and pay no more than 40 percent of its adjusted income toward the family share.

Contact: Becky Primeaux, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC 20410, telephone (202) 708-0477.

- **Regulation:** 24 CFR 982.505(d).

Project/Activity: Napa Housing Authority (NHA) in Napa, California, requested a waiver for HUD to approve an exception payment standard of 125 percent of the FMR as a reasonable accommodation under its HCV Program.

Nature of Requirement: The regulation, 24 CFR 982.505(d) states that the PHA may establish an exception payment standard of not more than 120 percent of the published FMR if required as a reasonable accommodation for a family that includes a person with a disability.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: October 31, 2017.

Reason Waived: This regulation was waived as a reasonable accommodation to allow a disabled participant to receive housing assistance and pay no more than 40 percent of its adjusted income toward the family share.

Contact: Becky Primeaux, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC. 20410, telephone (202) 708-0477.

- **Regulation:** 24 CFR 982.505(d).

Project/Activity: Glendale Housing Authority in Glendale, California, requested a waiver for HUD to approve an exception payment standard of 137 percent of the one-bedroom FMR as a reasonable accommodation under its HCV program.

Nature of Requirement: The regulation, 982.505(d) states that the PHA may establish an exception payment standard of not more than 120 percent of the published FMR if required as a reasonable accommodation for a family that includes a person with a disability.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 29, 2017.

Reason Waived: This regulation was waived as a reasonable accommodation to allow a disabled participant to receive housing assistance and pay no more than 40 percent of its adjusted income toward the family share.

Contact: Becky Primeaux, Director, Housing Voucher Management and

Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC 20410, telephone (202) 708-0477.

- **Regulation:** 24 CFR 982.505(d).

Project/Activity: San Diego Housing Commission (SDHC) in San Diego, California.

Nature of Requirement: The regulation, 24 CFR § 982.505(d), states that the PHA may establish an exception payment standard of not more than 120 percent of the published FMR if required as a reasonable accommodation for a family that includes a person with a disability.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 29, 2017.

Reason Waived: This regulation was waived as a reasonable accommodation to allow a disabled participant to receive housing assistance and pay no more than 40 percent of its adjusted income toward the family share.

Contact: Becky Primeaux, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC 20410, telephone (202) 708-0477.

- **Regulation:** 24 CFR 982.517 and 983.301(f)(2)(ii).

Project/Activity: Leeds Housing Authority (LHA) in Leeds, Alabama, requested a waiver of these regulations so that the LHA could establish a site-specific utility allowance schedule for a property converting to project-based vouchers under the the Rental Assistance Demonstration (RAD) program.

Nature of Requirement: The regulation, 24 CFR 982.517, states that the PHA must maintain a utility allowance schedule for all tenant-paid utilities (except telephone) for cost of tenant-supplied refrigerators and ranges, and for other tenant-paid housing services. The regulation at 24 CFR 983.301(f)(2)(ii) states that the PHA may not establish or apply a different utility allowance amount for the project-based voucher (PBV) program. The same PHA utility allowance schedule applies to both the tenant-based and PBV programs.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 5, 2017.

Reason Waived: The LHA demonstrated that the utility allowance provided under the HCV program would discourage energy conservation and ultimately lead to inefficient use of HAP funds for RAD projects.

Contact: Becky Primeaux, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC 20410, telephone (202) 708-0477.

- **Regulation:** 24 CFR 983.55(b).

Project/Activity: Housing Authority of Jackson County (HAJC) in Medford, Oregon, requested a waiver of these regulations so that the conjoining property owner may begin pre-construction activities that affect and benefit the future of the HAJC.

Nature of Requirement: The regulation, 983.55(b), states the PHA may not enter into an Agreement of Housing Assistance Payments (HAP) contract until HUD or a Housing credit agency approved by HUD has conducted any required Subsidy Layering review (SLR) and determined that the PBV assistance is in accordance with HUD's SLR requirements

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: December 5, 2017.

Reason Waived: The regulation was waived to permit the HAJC to execute an AHAP for the subject project prior to the completion of the Subsidy Layering Review so pre-construction activities could ensue.

Contact: Becky Primeaux, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC 20410, telephone (202) 708-0477.

• **Regulation:** 24 CFR 983.301(f)(2)(ii) and 24 CFR 982.17.

Project/Activity: Eloy Housing Authority (EHA) in Eloy, Arizona, requested a waiver to establish a site-specific utility allowance within a RAD conversion site.

Nature of Requirement: The regulation, 24 CFR 982.517, states that the PHA must maintain a utility allowance schedule for all tenant-paid utilities (except telephone) for cost of tenant-supplied refrigerators and ranges, and for other tenant-paid housing services. The regulation at 24 CFR 983.301(f)(2)(ii) states that the PHA may not establish or apply a different utility allowance amount for the project-based voucher (PBV) program. The same PHA utility allowance schedule applies to both the tenant-based and PBV programs.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 2, 2017.

Reason Waived: The EHA demonstrated that the utility allowance provided under the HCV program would discourage energy conservation and efficient use of HAP funds for the RAD project.

Contact: Becky Primeaux, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC 20410, telephone (202) 708-0477.

• **Regulation:** 24 CFR 983.305(c)(4).

Project/Activity: Northwest Oregon Housing Authority (NOHA) in Warrenton, Oregon, requested a waiver so it may pay a landlord who failed to execute two housing assistance payments (HAP) contracts within the required 60-day time period.

Nature of Requirement: 24 CFR § 983.305(c)(4) states that any HAP contract executed after 60 days from the beginning of the lease term is void, and the PHA may not pay any HAP to the owner.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: October 3, 2017.

Reason Waived: The PHA demonstrated good cause to waive this regulation and approval of this request prevented significant financial and physical hardship to the families under lease, HUD.

Contact: Becky Primeaux, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC 20410, telephone (202) 708-0477.

• **Regulation:** 24 CFR § 985.101(a).

Project/Activity: Housing Authority of Bexar County (HABC) in San Antonio, Texas, requested a waiver for HUD to approve their SEMAP certification submission after the end of the fiscal year.

Nature of Requirement: The regulation at 24 CFR § 985.101(a), states that PHA must submit the HUD-required SEMAP

certification form within 60 calendar days after the end of the fiscal year.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 29, 2017.

Reason Waived: Due to Hurricane Harvey the HABC reprioritized their efforts to pre- and post-disaster activities.

Contact: Becky Primeaux, Director, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4216, Washington, DC 20410, telephone (202) 708-0477.

• **Regulation:** 24 CFR 985.101(a).

Project/Activity: Boley Center Housing Agency (BCHA) in Saint Petersburg, Florida, requested a waiver for HUD to approve their SEMAP certification submission after the end of the fiscal year.

Nature of Requirement: The regulation, 24 CFR § 985.101(a), states that PHA must submit the HUD-required SEMAP certification form within 60 calendar days after the end of the fiscal year.

Granted By: Dominique Blom, General Deputy Assistant Secretary for Public and Indian Housing.

Date Granted: November 29, 2017.

Reason Waived: Du5678e to unexpected staffing issues as well as system related issues, BCHA was not able to submit their SEMAP before the deadline. Approval of this waiver prevents the waste of staff resources and funding needed to complete corrective actions plans and conduct site visits at an agency that does not have compliance related issues.

Contact: Becky Primeaux, Housing Voucher Management and Operations Division, Office of Public Housing and Voucher Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, S., Room 4216, Washington, DC 20410, telephone (202) 708-0477.

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Federal Register

Vol. 83, No. 70

Wednesday, April 11, 2018

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FEDERAL REGISTER PAGES AND DATE, APRIL

13817-14172.....	2
14173-14346.....	3
14347-14564.....	4
14565-14732.....	5
14733-15018.....	6
15019-15290.....	9
15291-15490.....	10
15491-15726.....	11

CFR PARTS AFFECTED DURING APRIL

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	1206.....	14771
Proclamations:		
9713.....	14341	
9714.....	14343	
9715.....	14345	
9716.....	14559	
9717.....	14561	
9718.....	14563	
9719.....	14727	
9720.....	15017	
Administrative Orders:		
Memorandums:		
Memorandum of April 4, 2018.....	15289	
Notices:		
Notice of April 4, 2018.....	14731	
4 CFR	21.....	13817
5 CFR	630.....	15291
6 CFR	27.....	13826
7 CFR	205.....	14347
	215.....	14173
	227.....	14173
	246.....	14173
	247.....	14173
	248.....	14173
	249.....	14173
	272.....	14173
	277.....	14173
	319.....	14733
	900.....	14736
	905.....	14348
	915.....	14736
	917.....	14736
	923.....	14736
	925.....	14736
	929.....	14350
	932.....	14736
	946.....	14736
	948.....	14736
	953.....	14736
	955.....	14736
	956.....	14736
	958.....	14736
	966.....	14357
	981.....	14738
	984.....	14738
	987.....	14738
	993.....	14738
Proposed Rules:		
905.....	14203	
932.....	14379	
985.....	14766	
1051.....	14110	
8 CFR	270.....	13826
	274a.....	13826
	280.....	13826
9 CFR	53.....	15491
	71.....	15491
	91.....	15491
	93.....	15491
	94.....	15491
	95.....	15491
	98.....	15491
	104.....	15491
Proposed Rules:		
145.....	15082	
146.....	15082	
147.....	15082	
10 CFR	431.....	15514
Proposed Rules:		
12 CFR	25.....	15298
	34.....	15019
	195.....	15298
	225.....	15019
	228.....	15298
	323.....	15019
	326.....	13839
	327.....	14565
	343.....	13843
	345.....	15298
	390.....	13843
	391.....	13839
	741.....	14741
Proposed Rules:		
303.....	15327	
325.....	13880	
333.....	15327	
390.....	15327	
900.....	14205	
906.....	14205	
956.....	14205	
957.....	14205	
958.....	14205	
959.....	14205	
960.....	14205	
961.....	14205	
962.....	14205	
963.....	14205	
964.....	14205	
965.....	14205	
966.....	14205	
967.....	14205	
968.....	14205	
969.....	14205	
970.....	14205	
971.....	14205	
972.....	14205	

973.....14205	520.....14584	40 CFR	1035.....15075
974.....14205	522.....14584	52.....13867, 13869, 13871,	1037.....15075
975.....14205	526.....14584	13872, 13875, 14175, 14179,	1090.....15075
976.....14205	558.....14584	14373, 14591, 14754, 14757,	1100.....15075
977.....14205	890.....13863	14759, 14762, 15074	1101.....15075
978.....14205	900.....13863	62.....13878	1103.....15075
979.....14205	1020.....13863	70.....14762	1104.....15075
980.....14205	1040.....13863	81.....14373, 14597	1105.....15075
981.....14205	Proposed Rules:	770.....14375	1106.....15075
982.....14205	73.....15089	Proposed Rules:	1108.....15075
983.....14205	23 CFR	52.....14386, 14389, 14807,	1110.....15075
984.....14205	Proposed Rules:	15336, 15343, 15526	1112.....15075
985.....14205	658.....15524	60.....15458	1113.....15075
986.....14205	26 CFR	62.....14232	1114.....15075
987.....14205	1.....14175	63.....14984, 15458	1116.....15075
988.....14205	27 CFR	180.....15528	1117.....15075
989.....14205	9.....14745	42 CFR	1119.....15075
990.....14205	Proposed Rules:	Proposed Rules:	1120.....15075
991.....14205	9.....14787, 14791, 14795,	100.....14391	1132.....15075
992.....14205	15091	44 CFR	1133.....15075
993.....14205	28 CFR	64.....14376	1135.....15075
994.....14205	16.....14749	45 CFR	1141.....15075
995.....14205	29 CFR	5b.....14183	1144.....15075
996.....14205	1926.....15499	47 CFR	1146.....15075
997.....14205	30 CFR	51.....14185	1147.....15075
998.....14205	56.....15055	54.....14185, 15502	1150.....15075
999.....14205	57.....15055	69.....14185	1152.....15075
Ch. XII.....14605	31 CFR	Proposed Rules:	1155.....15075
1239.....14781	Proposed Rules:	1.....13888, 14395, 15531	1177.....15075
1273.....14781	30.....15095	2.....13888	1180.....15075
14 CFR	32.....15095	5.....13888	1182.....15075
25.....14360, 15301, 15304	32 CFR	15.....13888	1184.....15075
39.....14568, 14741, 14743,	81.....15065	73.....13903, 15531	1185.....15075
15036, 15038, 15041, 15043,	182.....14588	101.....13888	1200.....15075
15045, 15048, 15310, 15313,	185.....14589	48 CFR	1220.....15075
15495	Proposed Rules:	Proposed Rules:	1242.....15075
71.....14574, 14576, 14580,	100.....14219, 14381, 15096,	831.....14826	1243.....15075
14745, 15050	15099	833.....14826	1244.....15075
73.....14174	165.....14226, 14384, 14801	844.....14833	1245.....15075
97.....15051, 15052	38 CFR	845.....14833	1246.....15075
Proposed Rules:	4.....15068, 15316	852.....14826	1247.....15075
39.....13883, 13885, 14207,	Proposed Rules:	871.....14826	1248.....15075
14606, 15517, 15519	100.....14364, 14751, 15065	2402.....15101	1249.....15075
71.....14608, 14610, 14785,	117.....13865, 13866, 13867,	2416.....15101	1253.....15075
15521	14365, 14367, 15067, 15315,	2437.....15101	1305.....15075
135.....15332	15316	2442.....15101	1310.....15075
15 CFR	165.....14367, 14589, 14752,	2452.....15101	1312.....15075
738.....13849	15499	1009.....15502	1313.....15075
740.....13849	Proposed Rules:	1052.....15502	1319.....15075
745.....13849	100.....14219, 14381, 15096,	49 CFR	1331.....15075
774.....13849, 14580	15099	1001.....15075	1333.....15075
2008.....15054	165.....14226, 14384, 14801	1003.....15075	1503.....13826
16 CFR	39 CFR	1004.....15075	Proposed Rules:
305.....14583	4.....15068, 15316	1005.....15075	578.....13904
Proposed Rules:	Proposed Rules:	1007.....15075	50 CFR
312.....14611	1.....14613	1011.....15075	17.....14189, 14198, 14958
19 CFR	3.....14803	1012.....15075	23.....15503
4.....13826	5.....14803	1013.....15075	300.....15503
101.....15498	17.....14804	1016.....15075	622.....14202
20 CFR	39 CFR	1018.....15075	648.....15240, 15511
404.....13862	111.....14369	1019.....15075	679.....14603, 15324, 15325
21 CFR	Proposed Rules:	1033.....15075	Proposed Rules:
510.....14584	100.....14219, 14381, 15096,	1034.....15075	17.....13919, 14836
	15099		218.....15117
	165.....14226, 14384, 14801		622.....14234, 14400
	38 CFR		648.....14236, 15535
	4.....15068, 15316		679.....15538
	Proposed Rules:		
	1.....14613		
	3.....14803		
	5.....14803		
	17.....14804		
	39 CFR		
	111.....14369		

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion

in today's **List of Public Laws**.

Last List April 9, 2018

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