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Rules and Regulations

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

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 900 and 1200

[Document Number AMS–SC–18–0007]

Rules of Practice and Procedure Governing Marketing Orders and Marketing Agreements, and Research, Promotion, and Information Programs

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This rule amends the Rules of Practice governing Marketing Orders and Marketing Agreements (MOMA), and Research, Promotion, and Information (R&P) programs overseen by the U.S. Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) to include a definition of the term ''mail''. It also modifies an authority citation to ensure all appropriate authorities are included.

DATES: *Effective Date:* June 14, 2018.

FOR FURTHER INFORMATION CONTACT: Stacy Jones King, Agricultural Marketing Specialist, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0244, Washington, DC 20250–0244; Telephone: (202) 720–9915, Fax: (202) 205–2800; or email: *Stacy.JonesKing@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This final rule is issued under the Rules of Practice governing MOMA (7 CFR part 900) and R&P (7 CFR part 1200) overseen by USDA's AMS to include a definition of the term ''mail''. Currently, MOMA and R&P regulations generally use the term ''mail'' but do not define it. This action creates a definition of ''mail'' that clarifies that it includes not only transmittal of information through a postal or other delivery system, but also through electronic mail. Without this broader definition of mail, the business activities of the boards, councils, and committees that administer the programs under AMS oversight, as well as federal milk marketing order administrative activities, will be restricted to using the traditional system of physical transportation of letters and parcels.

USDA believes that an expansive definition of ''mail'' will create greater effectiveness and cost savings for MOMA and R&P programs. This aligns with the Secretary's goal for greater use of technology in the Department to deliver the most effective, efficient and customer-focused programs. For this reason, USDA is amending the regulations at 7 CFR part 900 and 7 CFR part 1200 to reflect ''mail'' as both electronic mail and postal (or otherwise delivered) mail. One of the first initiatives under this amendment is to allow for electronic voting as an option in required implementation and continuance referenda on R&P programs.

In addition, this rule will further modify authority citations for 7 CFR part 1200 to correct the current citations as some authority cites are not currently included.

Executive Orders 12866, 13563, and 13771

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). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules and promoting flexibility. This action falls within a category of regulatory actions that the Office of Management and Budget (OMB) exempted from Executive Order 12866 review. Additionally, because this rule does not meet the definition of a significant regulatory action it does not trigger the requirements contained in Executive Order 13771. *See* OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017, titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

Executive Order 13175

This action has been reviewed in accordance with the requirements of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. The review reveals that this regulation will not have substantial and direct effects on Tribal governments and will not have significant Tribal implications.

Executive Order 12988

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. It is not intended to have retroactive effect. This rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

Section 11 of the Beef Promotion and Research Act of 1985 (7 U.S.C. 2910) provides that it shall not preempt or supersede any other program relating to beef promotion organized and operated under the laws of the United States or any State. Section 524 of the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7423) provides that it shall not affect or preempt any other Federal or State law authorizing promotion or research relating to an agricultural commodity.

Section 121 of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4512(a)) provides that nothing in this Act may be construed to preempt or supersede any other program relating to dairy product promotion organized and operated under the laws of the United States or any State.

Section 1212(c) of the Hass Avocado Promotion, Research and Information Act of 2000 (7 U.S.C. 7811) provides that nothing in this Act may be construed to preempt or supersede any program relating to Hass avocado promotion, research, industry information, and consumer information organized and operated under the laws of the United States or of a State.

Section 1930 of the Mushroom Promotion, Research, and Consumer Information Act of 1990 (7 U.S.C. 6109) provides that nothing in this Act may be construed to preempt or supersede any other program relating to mushroom promotion, research, consumer information or industry information organized and operated under the laws of the United States or any State.

Section 580 of the Popcorn Promotion, Research, and Consumer Information Act (7 U.S.C. 7489) provides that nothing in this Act preempts or supersedes any other program relating to popcorn promotion organized and operated under the laws of the United States or any State.

Section 1628 of the Pork Promotion, Research, and Consumer Information Act of 1985 (7 U.S.C. 4817) states that the statute is intended to occupy the field of promotion and consumer education involving pork and pork products and of obtaining funds thereof from pork producers. The regulation of such activity (other than a regulation or requirement relating to a matter of public health or the provision of State or local funds for such activity) that is in addition to or different from the Pork Act may not be imposed by a State.

Additionally, section 1974 of the Soybean Promotion, Research, and Consumer Information Act (7 U.S.C. 6309) provides, with certain exceptions, that nothing in the Soybean Act may be construed to preempt or supersede any other program relating to soybean promotion, research, consumer information, or industry information organized under the laws of the United States or any State.

According to the following authorizing acts, administrative proceedings must be exhausted before parties may file suit in court: Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601–674); Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7411–7425); Cotton Research and Promotion Act of 1966 (7 U.S.C. 2101–2118); Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501–4514); Egg Research and Consumer Information Act of 1974 (7 U.S.C. 2701–2718); Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401–6417); Hass Avocado Promotion, Research, and Information Act of 2000 (7 U.S.C. 7801–7813); Mushroom Promotion, Research, and Consumer Information Act of 1990 (7 U.S.C. 6101–6112); Popcorn Promotion, Research, and Consumer Information Act of 1996 (7 U.S.C. 7481–7491); Pork Promotion, Research, and Consumer Information Act of 1985 (7 U.S.C. 4801–4819); Potato Research and Promotion Act of 1971 (7 U.S.C. 2611–2627); Soybean Promotion, Research, and Consumer Information Act (7 U.S.C. 6301–6311); and Watermelon Research and Promotion Act (7 U.S.C. 4901–4916).

Under those acts, any person subject to an order may file a petition with the Secretary stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. The petitioner is afforded the opportunity for a hearing on the petition. After the hearing, the Secretary will make a ruling on the petition. The acts provide that the district courts of the United States in any district in which the person is an inhabitant, or has his principal place of business, has the jurisdiction to review the Secretary's rule, provided a complaint is filed within 20 days from the date of the entry of the ruling. There are no administrative proceedings that must be exhausted prior to any judicial challenge under the provision of the Beef Promotion and Research Act of 1985 (7 U.S.C. 2901–2911).

Administrative Procedure Act, Regulatory Flexibility Act, and Paperwork Reduction Act

This final rule establishes agency rules of practice and procedure. Under the Administrative Procedure Act (APA), prior notice and opportunity for comment are not required for the promulgation of agency rules of practice and procedure. 5 U.S.C. 553 (b)(3)(A). Only substantive rules require publication 30 days prior to their effective date. 5 U.S.C. 553 (d). Therefore, this final rule is effective upon publication in the **Federal Register**.

Under 5 U.S.C. 804, this rule is not subject to Congressional review under the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121. In addition, because prior notice and opportunity for comment are not required to be provided for this final rule, this rule is exempt from the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* Furthermore, we have determined that the addition of a definition for the term ''mail'' to 7 CFR parts 900 and 1200 will not impact the current information collection burden for approved OMB forms.

List of Subjects

7 CFR Part 900

Administrative practice and procedure, Freedom of information, Marketing agreements, Reporting and recordkeeping requirements.

7 CFR Part 1200

Administrative practice and procedure, Agricultural research, Reporting and recordkeeping requirements.

Accordingly, 7 CFR parts 900 and 1200 are amended as follows:

PART 900—GENERAL REGULATIONS

Subpart G—Miscellaneous Requirements

■ 1. The authority citation for part 900, subpart G, continues to read as follows:

Authority: Sec. 10, 48 Stat. 37, as amended; 7 U.S.C. 610.

■ 2. In § 900.200, add paragraph (f) to read as follows:

§ 900.200 Definitions.

* * * * *

(f) The term *mail* means to transmit either electronically or through a postal or other delivery system, information or a package (*e.g.,* letter or envelope) to a recipient.

* * * * *

PART 1200—RULES OF PRACTICE AND PROCEDURE GOVERNING PROCEEDINGS UNDER RESEARCH, PROMOTION, AND INFORMATION PROGRAMS

■ 3. The authority citation for part 1200 is revised to read as follows:

Authority: 7 U.S.C. 2101–2119, 2611–2627, 2701–2718, 2901–2911, 4501–4514, 4801–4819, 4901–4916, 6101–6112, 6301–6311, 6401–6417, 7411–7425, 7481–7491, and 7801–7813.

■ 4. Subpart C is added to read as follows:

Subpart C—General Definitions

Sec.
1200.100 General.
1200.101 Definitions.

Authority: 7 U.S.C. 2114, 2616, 2716, 2904, 4503, 4803, 4905, 6112, 6311, 6406, 7490, 7424 and 7812.

§ 1200.100 General.

The terms defined/specified in this subpart shall apply to all research and promotion programs authorized under the Act.

§ 1200.101 Definitions.

(a) *Act* means the Commodity Research, Promotion, and Information Act of 1996 [7 U.S.C. 7411–7425]; the Beef Promotion and Research Act of 1985 [7 U.S.C. 2901–2911]; the Cotton Research and Promotion Act, as amended [7 U.S.C. 2101–2119]; the Dairy Production Stabilization Act of 1983 [7 U.S.C. 4501–4514]; the Egg Research and Consumer Information Act, as amended [7 U.S.C. 2701–2718]; the Fluid Milk Promotion Act of 1990 [7 U.S.C. 6401–6417]; the Hass Avocado Promotion, Research, and Information Act of 2000 [7 U.S.C. 7801–7813]; the Mushroom Promotion, Research, and Consumer Information Act of 1990 [7

U.S.C. 6101–6112]; the Popcorn Promotion, Research, and Consumer Information Act [7 U.S.C. 7481–7491]; the Pork Promotion, Research, and Consumer Information Act [7 U.S.C. 4801–4819]; the Potato Research and Promotion Act, as amended [7 U.S.C. 2611–2627]; the Soybean Promotion, Research, and Consumer Information Act [7 U.S.C. 6301–6311]; and the Watermelon Research and Promotion Act, as amended, [7 U.S.C. 4901–4916].

(b) *Mail* means to transmit either electronically or through a postal or other delivery system, information or a package (*e.g.,* letter or envelope) to a recipient.

Dated: June 8, 2018.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2018–12722 Filed 6–13–18; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1216

[Document Number AMS–SC–16–0115]

Peanut Promotion, Research, and Information Order; Change in Assessment Rate Computation

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This rule changes the assessment rate computation under the Agricultural Marketing Service's (AMS) regulations regarding a national research and promotion program (program) for U.S. peanuts. This rule changes the basis for assessment under the regulations from value to volume (per ton). Two rates of assessment are established instead of using the formula currently specified in the regulations. This rule also updates the definition for ''fiscal year'' specified in the regulations to reflect current practices.

DATES: *Effective Date:* July 16, 2018.

FOR FURTHER INFORMATION CONTACT: Jeanette Palmer, Marketing Specialist, Promotion and Economics Division, Specialty Crops Program, AMS, USDA, Stop 0244, 1400 Independence Avenue SW, Room 1406–S, Washington, DC 20250–0244; telephone: (202) 720–9915; facsimile: (202) 205–2800; or electronic mail: *Jeanette.Palmer@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This final rule affecting the Peanut Promotion, Research, and Information Order (order) at 7 CFR part 1216 is authorized under the Commodity Promotion, Research, and Information Act of 1996 (1996 Act)(7 U.S.C. 7411–7425).

Executive Orders 12866, 13563, and 13771

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). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules and promoting flexibility. This action falls within a category of regulatory actions that the Office of Management and Budget (OMB) exempted from Executive Order 12866 review. Additionally, because this rule does not meet the definition of a significant regulatory action it does not trigger the requirements contained in Executive Order 13771. See OMB's Memorandum titled ''Interim Guidance Implementing Section 2 of the Executive Order of January 30, 2017, titled 'Reducing Regulation and Controlling Regulatory Costs' '' (February 2, 2017).

Executive Order 13175

This final rule has been reviewed in accordance with the requirements of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments. The review reveals that this rule will not have substantial and direct effects on Tribal governments and will not have significant Tribal implications.

Executive Order 12988

In addition, this final rule has been reviewed under Executive Order 12988, Civil Justice Reform. It is not intended to have retroactive effect. Section 524 of the 1996 Act (7 U.S.C. 7423) provides that it shall not affect or preempt any other Federal or State law authorizing promotion or research relating to an agricultural commodity.

Under section 519 of the 1996 Act (7 U.S.C. 7418), a person subject to an order may file a written petition with USDA stating that an order, any provision of an order, or any obligation imposed in connection with an order, is not established in accordance with the law, and request a modification of an order or an exemption from an order. Any petition filed challenging an order, any provision of an order, or any obligation imposed in connection with an order, shall be filed within two years after the effective date of an order, provision, or obligation subject to challenge in the petition. The petitioner will have the opportunity for a hearing on the petition. Thereafter, USDA will issue a ruling on the petition. The 1996 Act provides that the district court of the United States for any district in which the petitioner resides or conducts business shall have the jurisdiction to review a final ruling on the petition, if the petitioner files a complaint for that purpose not later than 20 days after the date of the entry of USDA's final ruling.

Background

This rule changes the assessment rate computation under the Peanut Promotion, Research, and Information Order. Part 1216 is administered by the Board with oversight by USDA. This rule changes the basis for assessment under the program from value to volume (per ton). Two rates of assessment are established instead of using the formula currently specified in this part. The assessment rates will be $3.55 per ton for Segregation 1 peanuts and $1.25 per ton for lower quality Segregation 2 and 3 peanuts. This action was unanimously recommended by the National Peanut Board (Board) and will help facilitate program operations by providing a more predictable revenue stream for the Board. This rule also updates the definition for fiscal year specified in the part to reflect current practices.

The Peanut Promotion, Research, and Information Order regulations took effect in 1999. Under the regulations, the Board administers a nationally-coordinated program of promotion, research, and information designed to strengthen the position of peanuts in the market place and to develop, maintain, and expand the demand for U.S. peanuts.

Section 1216.48(m) provides authority for the Board to recommend to the Secretary amendments to the regulations as the Board considers appropriate.

Section 1216.51 specifies that the funds necessary to pay for programs and other authorized costs shall be acquired by levying assessments upon producers in a manner prescribed by the Secretary. The assessments are collected by first handlers from producers and remitted to the Board no later than 60 days after the last day of the month in which the peanuts were marketed. Paragraph (c) of that section currently states that assessments shall be levied based on *value* at a rate of one percent of the price paid for all farmers stock peanuts sold. As defined in § 1216.9, ''farmers stock peanuts'' means picked or threshed peanuts produced in the United States which have not been

changed (except for removal of foreign material, loose shelled kernels and excess moisture) from the condition in which picked or threshed peanuts are customarily marketed by producers, plus any loose shelled kernels that are removed before farmers stock peanuts are marketed.

For producers who place their peanuts in a USDA loan program,[1] assessments are levied at a rate of one percent of the loan value. The loan value is equivalent to the national loan rate for peanuts established by Congress and currently averages $355 per ton.[2] The loan rate will vary depending upon the quality of the peanuts (*e.g.,* Segregation 1, 2, and 3). For peanuts placed under loan, USDA deducts from the loan paid to the producer one percent of the loan value and remits this to the Board. This computes to an average assessment rate of $3.55 per ton.

Over the three year period (2014–2016), about $8.6 million in assessments has been collected under the program annually. Assessments collections totaled $7,284,050[3] in 2014, $8,811,444[4] in 2015, and $9,670,889[5] in 2016.

In recent years, the Board has discussed the merits of modifying the formula for calculating assessments in order to receive a more predictable revenue stream for the program. A reduction in value (producer price or the loan rate) could reduce Board revenue to the point where the Board would have to drastically curtail its promotional and research activities. Producer prices declined 24 percent from 2013–2016 while production increased. According to USDA's National Agricultural Statistics Service (NASS), the producer price was $0.249 per pound (or $498 per ton) in 2013[6] and $0.189 (or $378 per ton) in 2016.[7] Production in 2013 was 4.174 billion pounds[8] and 5.685 billion pounds in 2016.[9] For 2017, production is estimated at 7.429 billion pounds, up 31 percent from 2016.[10]

Board Recommendation

The Board met on April 4, 2017, and unanimously recommended changing the basis for assessment under the order from value to volume (per ton). Two rates of assessments will be established for farmers stock peanuts, depending upon their quality as defined in the Minimum Quality and Handling Standards for Domestic and Imported Peanuts Marketed in the United States (Standards) codified in 7 CFR part 996.[11] Under the authority of section 517(d) of the 1996 Act, a board may recommend to the Secretary one or more rates of assessment under an order. The Board specifically recommended to set the assessment rates at $3.55 per ton for Segregation 1 peanuts and $1.25 per ton for lower quality Segregation 2 and 3 peanuts.

Pursuant to § 996.13(b) of the Standards, ''Segregation l peanuts'' means farmers stock peanuts with not more than 3.49 percent damaged kernels nor more than l.00 percent concealed damage caused by rancidity, mold, or decay and which are free from visible *Aspergillus flavus.* Pursuant to § 996.13(c), ''Segregation 2 peanuts'' means farmers stock peanuts with more than 3.49 percent damaged kernels or more than l.00 percent concealed damage caused by rancidity, mold, or decay and which are free from visible *Aspergillus flavus.* Pursuant to § 996.13(d), ''Segregation 3 peanuts'' means farmers stock peanuts with visible *Aspergillus flavus.*

This action will help facilitate program operations by providing a more predictable revenue stream for the Board to carry out its mission. Section 1216.51 is revised accordingly.

This rule references §§ 996.13(b), 996.13(c) and 996.13(d) of the Standards which define the terms Segregation 1 peanuts, Segregation 2 peanuts, and Segregation 3 peanuts, respectively.

Further, this rule revises § 1216.11 regarding the term 'fiscal year' from the 12-month period beginning August 1 of any year and ending July 31 of the following year to the 12-month period beginning November 1 of any year and ending October 31 of the following year to reflect current industry practices. That section also defines the term crop year to mean the same as fiscal year. The term crop year is not referenced elsewhere in part 1216 and is thus not necessary. This rule removes that term from § 1216.11. Section 1216.11 is revised accordingly.

Final Regulatory Flexibility Act Analysis

In accordance with the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS is required to examine the impact of the final rule on small entities. Accordingly, AMS has considered the economic impact of this action on such entities.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions so that small businesses will not be disproportionately burdened. The Small Business Administration (SBA) defines, in 13 CFR part 121, small agricultural producers as those having annual receipts of no more than $750,000 and small agricultural service firms (handlers) as those having annual receipts of no more than $7.5 million.

According to the Board, there are approximately 7,600 producers and 33 handlers of peanuts who are required to pay assessments under the program.

Most producers would be classified as small businesses under the criteria established by the SBA. USDA's NASS reports that the farm value of the peanuts produced in the top 11 States in 2016 was $1.077 billion.[12] Dividing the 2016 crop value by 7,600 producers yields an average peanut sales per producer estimate of approximately $142,000. This is well below the threshold level of $750,000 in annual sales, indicating that most peanut producers would be classified by the SBA as small businesses.

Dividing the 2016 crop value by 33 handlers yields an average peanut crop value per handler of about $33 million. This is many times larger than the $7.5

[1] USDA's Farm Service Agency administers a marketing assistance program for peanuts on behalf of the Commodity Credit Corporation. Under this program, producers may apply for a loan which allows them to store their production and pledge the peanuts as collateral instead of selling them immediately after the fall harvest. *https://www.fsa.usda.gov/programs-and-services/price-support/commodity-loans/non-recourse-loans/peanut-program/index.*

[2] *https://www.fsa.usda.gov/news-room/news-releases/2017/nr_20170707_rel_0074.*

[3] National Peanut Board, Financial Statements with Independent Auditor's Report and Supplementary Information, October 31, 2014, Brooks, McGinnis & Company, LLC, p. 14.

[4] National Peanut Board, Financial Statements with Independent Auditor's Report and Supplementary Information, October 31, 2015, Brooks, McGinnis & Company, LLC, p. 12.

[5] National Peanut Board, Financial Statements with Independent Auditor's Report and Supplementary Information, October 31, 2016, Brooks, McGinnis & Company, LLC, p. 14.

[6] USDA Crop Values Summary 2014, February 2015, p. 8; *http://usda.mannlib.cornell.edu/usda/nass/CropValuSu//2010s/2015/CropValuSu-02-24-2015_correction.pdf.*

[7] USDA, Crop Values Summary 2016, February 2017, p. 7; *http://usda.mannlib.cornell.edu/usda/nass/CropValuSu//2010s/2017/CropValuSu-02-24-2017_revision.pdf.*

[8] USDA, Crop Production Summary 2013, January 2014, p. 79; *http://usda.mannlib.cornell.edu/usda/nass/CropProdSu//2010s/2014/CropProdSu-01-10-2014.pdf.*

[9] USDA, Crop Production Summary 2016, February 2017, p. 101; *http://usda.mannlib.cornell.edu/usda/current/CropProdSu/CropProdSu-01-12-2017.pdf.*

[10] USDA Crop Production, August 10, 2017, p. 31; *https://www.usda.gov/nass/PUBS/TODAYRPT/crop0817.pdf.*

[11] 7 CFR part 996 took effect in 2002 and requires U.S. and imported peanuts to meet certain quality standards (67 FR 57129; September 9, 2002).

[12] USDA, Crop Values Summary 2016, February 2017, p. 9; *http://usda.mannlib.cornell.edu/usda/nass/CropValuSu//2010s/2017/CropValuSu-02-24-2017_revision.pdf.*

million SBA threshold and is thus an indication that most of the handlers would not be classified as small businesses.

U.S. peanut production from the 11 major peanut-producing States in 2016 was 5.685 billion pounds.[13] Georgia was the largest producer (49 percent of U.S. production), followed by Alabama (11 percent), Texas (10 percent), Florida (10 percent), South Carolina (6 percent), North Carolina (6 percent), Mississippi (3 percent), Arkansas (2 percent), Virginia (1 percent), Oklahoma (1 percent) and New Mexico (less than 1 percent). According to the 2012 Census of Agriculture,[14] small amounts of peanuts were also grown in seven other States.

If the number of peanut producers (7,600) is divided into total 2016 U.S. production (5.685 billion pounds), the resulting average peanut production per producer is approximately 748,000 pounds.

This rule revises § 1216.51 to change the basis for assessment from value to volume (per ton). The program is administered by the Board with oversight by USDA. Two rates of assessment will be established instead of using a formula currently specified in the regulations. The assessment rates will be $3.55 per ton for Segregation 1 peanuts and $1.25 per ton for lower quality Segregation 2 and 3 peanuts. This action was unanimously recommended by the Board and will help facilitate program operations by providing a more predictable revenue stream for the Board based only on volume for assessment. Authority for this action is provided in § 1216.48(m) and section 517 of the 1996 Act. This rule also updates the definition for fiscal year specified in § 1216.11 to reflect current practices. That section provides authority for the Board, with approval of the Secretary, to change the fiscal year.

Regarding the economic impact of this rule on affected entities, this action changes the basis of assessment from value to volume (per ton). The rates of assessment recommended by the Board are comparable to the rates that have been in effect since the inception of the program.[15] While assessments impose additional costs on producers, the costs are minimal and uniform on all. The costs would also be offset by the benefits derived from the operation of the program. (The update to § 1216.11 regarding the fiscal year is administrative in nature.)

Regarding the impact of the peanut program on the industry, the program has been successful in helping to build demand and improve producer returns. A 2014 economic study shows that the program helped to increase demand by 15 percent from 2007–2013, and that each dollar invested in Board activities over the period returned $8.87 to the producer.[16]

With regard to alternatives, the Board has been considering revising the assessment rate computation for a number of years. The Board considered revising the assessment rate to equal a weighted average of the value of Segregation 1, 2, and 3 peanuts as reported by the NASS for the prior year. However, this would still link the assessment rate to value. Another option would be to maintain the status quo. After review and deliberation, the Board unanimously recommended revising the basis for assessment under the program from value to volume as described herein.

To calculate the percentage of producer revenue represented by the assessment rate, the proposed assessment rates are divided by the average producer price. The proposed assessment rates are $3.55 per ton ($0.001775 per pound) for Segregation 1 peanuts and $1.25 per ton ($0.000625 per pound) for Segregation 2 and 3 peanuts. According to NASS, the average producer price ranged from $0.193 per pound in 2015 to $0.189 per pound in 2016.[17] Thus, the proposed assessment rates as a percentage of producer price could range from 0.92 to 0.94 percent for Segregation 1 peanuts and from 0.32 to 0.33 percent for Segregation 2 and 3 peanuts.

Reporting and Recordkeeping Requirements

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the information collection and recordkeeping requirements that are imposed by the program have been approved previously under OMB control number 0581–0093. This final rule will not result in a change to the information collection and recordkeeping requirements previously approved and will impose no additional reporting and recordkeeping burden on peanut producers or first handlers.

As with all Federal promotion programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. Finally, USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this final rule.

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

In regard to outreach efforts, Board members have been conducting outreach to educate industry members about the need for changing the basis of assessment since January 2016. The issue has been discussed at Board meetings over the past few years. The Board has also conducted outreach to the major peanut associations and has received positive feedback. All of the Board's meetings are open to the public and interested persons are invited to participate and express their views.

A proposed rule concerning this action was published in the **Federal Register** on March 30, 2018 (83 FR 13700). The Board sent the proposed rule directly to the peanut producer associations, Board members, and assessment payers. In addition, the Board disseminated the proposed rule via the internet by providing the links to the proposal in its industry newsletter and website. The proposal was also made available through the internet by USDA and the Office of the Federal Register. A 30-day comment period ending April 30, 2018, was provided to allow interested persons to submit comments.

Analysis of Comments

Thirteen comments were received in response to the proposed rule. Of those 13 comments, 12 comments were in favor of the proposed flat computation of the two assessment rates (one favorable comment was a duplicate and only counted once), and one comment was outside the scope of the review.

Ten commenters stated the change in the assessment computation would allow for a more consistent revenue stream for the Board to carry out its mission. Of these commenters, one commenter stated the computation change is not an increase or decrease in producer assessments. It stated that this change is a proactive business move to create an assessment rate which will not fluctuate downward rapidly. The

[13] USDA Crop Production, August 10, 2017, p. 16; *https://www.usda.gov/nass/PUBS/TODAYRPT/crop0817.pdf.*

[14] USDA 2012 Census of Agriculture; p. 444; *https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_1_US/usv1.pdf.*

[15] This action would not increase the assessment rate. Therefore, a referendum is not required (see § 1216.51(j)).

[16] Kaiser, Harry, An Economic Analysis of the National Peanut Board, August 11, 2014, p. 1. The analysis is available from USDA or the Board.

[17] USDA, Crop Values Summary 2016, February 2017, p. 27; *http://usda.mannlib.cornell.edu/usda/nass/CropValuSu//2010s/2017/CropValuSu-02-24-2017_revision.pdf.*

proposed computation will allow the Board to plan long term without a disruption to its income flow. Another commenter in favor of the proposed change stated that it will be less confusing and easier for USDA to administer the assessment rate.

After consideration of all relevant matters presented, including the information and recommendation submitted by the Board and other available information, it is hereby found that this rule, as hereinafter set forth, is consistent with and will effectuate the purposes of the 1996 Act.

List of Subjects in 7 CFR Part 1216

Administrative practice and procedure, Advertising, Consumer information, Marketing agreements, Peanut promotion, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 1216 is amended as follows:

PART 1216—PEANUT PROMOTION, RESEARCH, AND INFORMATION ORDER

■ 1. The authority citation for part 1216 continues to read as follows:

Authority: 7 U.S.C. 7411–7425; 7 U.S.C. 7401.

■ 2. Revise § 1216.11 to read as follows:

§ 1216.11 Fiscal year.

Fiscal year means the 12-month period beginning with November 1 of any year and ending with October 31 of the following year, or such other period as determined by the Board and approved by the Secretary.

■ 3. In § 1216.51, revise paragraphs (c) and (d), remove paragraph (e), and redesignate paragraphs (f) through (j) as paragraphs (e) through (i) to read as follows:

§ 1216.51 Assessments.

* * * * *

(c) Such assessments shall be levied on all farmers stock peanuts sold at a rate of $3.55 per ton for Segregation 1 peanuts and $1.25 per ton for Segregation 2 peanuts and 3 peanuts, as those terms are defined in §§ 996.13(b)–(d) of this title.

(d) For peanuts placed under a marketing assistance loan with the Department's Commodity Credit Corporation, the Commodity Credit Corporation, or any entity determined by the Commodity Credit Corporation shall deduct and remit to the Board, from the proceeds of the loan paid to the producer, the assessment per ton as specified in paragraph (c) of this section, no more than 60 days after the last day of the month in which the peanuts were placed under a marketing assistance loan.

* * * * *

Dated: June 8, 2018.

Bruce Summers,

Administrator.

[FR Doc. 2018–12731 Filed 6–13–18; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31197; Amdt. No. 3803]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective June 14, 2018. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 14, 2018.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001.

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Navigation Products, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. 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/code_of_federal_regulations/ibr_locations.html.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedure Standards Branch (AFS–420), Flight Technologies and Programs Divisions, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125) Telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends Title 14 of the Code of Federal Regulations, part 97 (14 CFR part 97), by establishing, amending, suspending, or removes SIAPS, Takeoff Minimums and/or ODPS. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA forms are FAA Forms 8260–3, 8260–4, 8260–5, 8260–15A, and 8260–15B when required by an entry on 8260–15A.

The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs, Takeoff Minimums and ODPs

with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPS, Takeoff Minimums and/or ODPS as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as Amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C 553(d), good cause exists for making some SIAPs effective in less than 30 days.

The FAA has determined that this 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 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on June 1, 2018.

John S. Duncan,

Executive Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

Effective 19 July 2018

Anchorage, AK, Ted Stevens Anchorage Intl, ILS RWY 15, Amdt 6E
Anchorage, AK, Ted Stevens Anchorage Intl, RNAV (RNP) Z RWY 7R, Orig-D
Buckland, AK, Buckland, NDB/DME RWY 11, Amdt 1, CANCELED
Buckland, AK, Buckland, NDB/DME RWY 29, Amdt 1, CANCELED
Buckland, AK, Buckland, RNAV (GPS) RWY 11, Amdt 2
Buckland, AK, Buckland, RNAV (GPS) RWY 29, Amdt 1
Buckland, AK, Buckland, Takeoff Minimums and Obstacle DP, Amdt 2
Ketchikan, AK, Ketchikan Intl, KETCHIKAN SIX, Graphic DP
Ketchikan, AK, Ketchikan Intl, SKOWL TWO, Graphic DP
Ketchikan, AK, Ketchikan Intl, Takeoff Minimums and Obstacle DP, Amdt 9
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, ILS OR LOC RWY 4L, Amdt 26A
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, ILS OR LOC RWY 4R, Amdt 2D
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, ILS OR LOC RWY 22L, Orig-D
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, RNAV (GPS) RWY 4L, Amdt 1D
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, RNAV (GPS) RWY 4R, Amdt 1D
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, RNAV (GPS) RWY 18, Amdt 1E
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, RNAV (GPS) RWY 22L, Amdt 1D
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, RNAV (GPS) RWY 22R, Amdt 1C
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, RNAV (GPS) RWY 36, Orig-C
Little Rock, AR, Bill and Hillary Clinton National/Adams Field, Takeoff Minimums and Obstacle DP, Amdt 9
Pago Pago, AS, Pago Pago Intl, ILS OR LOC RWY 5, Amdt 14
Pago Pago, AS, Pago Pago Intl, RNAV (GPS) RWY 5, Orig
Pago Pago, AS, Pago Pago Intl, RNAV (GPS) RWY 23, Orig
Pago Pago, AS, Pago Pago Intl, VOR OR TACAN–B, Amdt 6
Show Low, AZ, Show Low Rgnl, NDB–A, Amdt 2
Show Low, AZ, Show Low Rgnl, RNAV (GPS) RWY 25, Amdt 3
Show Low, AZ, Show Low Rgnl, Takeoff Minimums and Obstacle DP, Amdt 2
San Carlos, CA, San Carlos, Takeoff Minimums and Obstacle DP, Amdt 1A
Visalia, CA, Visalia Muni, ILS OR LOC RWY 30, Amdt 7B
Visalia, CA, Visalia Muni, RNAV (GPS) RWY 12, Amdt 1C
Visalia, CA, Visalia Muni, RNAV (GPS) RWY 30, Amdt 1B
Visalia, CA, Visalia Muni, VOR RWY 12, Amdt 6C
Eagle, CO, Eagle County Rgnl, LDA RWY 25, Amdt 1
Eagle, CO, Eagle County Rgnl, RNAV (GPS)-D, Amdt 1
Palm Coast, FL, Flagler Executive, RNAV (GPS) RWY 6, Amdt 2
Palm Coast, FL, Flagler Executive, RNAV (GPS) RWY 11, Amdt 2
Palm Coast, FL, Flagler Executive, RNAV (GPS) RWY 24, Amdt 1
Palm Coast, FL, Flagler Executive, RNAV (GPS) RWY 29, Amdt 1
Palm Coast, FL, Flagler Executive, Takeoff Minimums and Obstacle DP, Amdt 2
West Palm Beach, FL, Palm Beach Intl, RNAV (GPS) Y RWY 10L, Amdt 3C
Kailua/Kona, HI, Ellison Onizuka Kona Intl at Keahole, RNAV (GPS) RWY 35, Amdt 2
Kailua/Kona, HI, Ellison Onizuka Kona Intl at Keahole, RNAV (GPS) Y RWY 35, Amdt 1B, CANCELED
Red Oak, IA, Red Oak Muni, RNAV (GPS) RWY 5, Amdt 1B
Morris, IL, Morris Muni—James R Washburn Field, VOR–A, Orig-D
Covington, KY, Cincinnati/Northern Kentucky Intl, ILS OR LOC RWY 18C, ILS RWY 18C SA CAT I, ILS RWY 18C SA CAT II, Amdt 23
Covington, KY, Cincinnati/Northern Kentucky Intl, ILS OR LOC RWY 27, ILS RWY 27 SA CAT I, ILS RWY 27 SA CAT II, Amdt 18
Benton Harbor, MI, Southwest Michigan Rgnl, ILS OR LOC RWY 28, Amdt 9

Benton Harbor, MI, Southwest Michigan Rgnl, RNAV (GPS) RWY 28, Amdt 2B
Detroit, MI, Coleman A Young Muni, ILS OR LOC RWY 15, Amdt 11
Detroit, MI, Coleman A Young Muni, ILS OR LOC RWY 33, Amdt 15
Pontiac, MI, Oakland County Intl, ILS OR LOC RWY 9R, Amdt 13
Pontiac, MI, Oakland County Intl, LOC BC RWY 27L, Amdt 2
Pontiac, MI, Oakland County Intl, RNAV (GPS) RWY 9R, Orig-B
Pontiac, MI, Oakland County Intl, RNAV (GPS) RWY 27L, Orig-A
Pontiac, MI, Oakland County Intl, VOR RWY 9R, Amdt 24, CANCELED
Pontiac, MI, Oakland County Intl, VOR RWY 27L, Amdt 15, CANCELED
Duluth, MN, Duluth Intl, COPTER ILS OR LOC RWY 27, Amdt 2B
Duluth, MN, Duluth Intl, ILS OR LOC RWY 9, ILS RWY 9 (SA CAT I), ILS RWY 9 (CAT II), Amdt 22B
Duluth, MN, Duluth Intl, ILS OR LOC RWY 27, Amdt 10C
Duluth, MN, Duluth Intl, RNAV (GPS) RWY 3, Orig-B
Duluth, MN, Duluth Intl, RNAV (GPS) RWY 9, Amdt 1D
Duluth, MN, Duluth Intl, RNAV (GPS) RWY 21, Orig-B
Duluth, MN, Duluth Intl, RNAV (GPS) RWY 27, Orig-C
Minneapolis, MN, Airlake, RNAV (GPS) RWY 12, Amdt 1
Minneapolis, MN, Airlake, VOR RWY 12, Amdt 3
Missoula, MT, Missoula Intl, RNAV (RNP) RWY 30, Orig-C
Gastonia, NC, Gastonia Muni, NDB RWY 3, Amdt 9A
Nebraska City, NE, Nebraska City Muni, NDB RWY 15, Amdt 1A
Morristown, NJ, Morristown Muni, RNAV (GPS) RWY 5, Amdt 4
New York, NY, John F Kennedy Intl, COPTER RNAV (GPS) 027, Orig-C
New York, NY, John F Kennedy Intl, ILS OR LOC RWY 4L, Amdt 11B
New York, NY, John F Kennedy Intl, ILS OR LOC RWY 4R, ILS RWY 4R (CAT II), ILS RWY 4R (CAT III), Amdt 30A
New York, NY, John F Kennedy Intl, ILS OR LOC RWY 13L, ILS RWY 13L (CAT II), Amdt 18A
New York, NY, John F Kennedy Intl, ILS OR LOC RWY 22L, ILS RWY 22L (CAT II), ILS RWY 22L (CAT III), Amdt 24C
New York, NY, John F Kennedy Intl, ILS OR LOC RWY 22R, Amdt 2B
New York, NY, John F Kennedy Intl, ILS OR LOC RWY 31L, Amdt 11A
New York, NY, John F Kennedy Intl, ILS OR LOC RWY 31R, Amdt 16A
New York, NY, John F Kennedy Intl, RNAV (GPS) RWY 22R, Amdt 1F
New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 4L, Amdt 3A
New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 4R, Amdt 2A
New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 22L, Amdt 1E
New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 31L, Amdt 2A
New York, NY, John F Kennedy Intl, RNAV (GPS) Y RWY 31R, Amdt 2B
New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 4L, Amdt 2A
New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 4R, Amdt 1A
New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 22L, Amdt 1C
New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 31L, Amdt 1A
New York, NY, John F Kennedy Intl, RNAV (RNP) Z RWY 31R, Amdt 1A
Saratoga Springs, NY, Saratoga County, RNAV (GPS) RWY 23, Amdt 2
Hillsboro, OH, Highland County, Takeoff Minimums and Obstacle DP, Amdt 4
Hollis, OK, Hollis Muni, RNAV (GPS) RWY 18, Orig
Hollis, OK, Hollis Muni, RNAV (GPS) RWY 36, Orig
Hollis, OK, Hollis Muni, Takeoff Minimums and Obstacle DP, Orig
Astoria, OR, Astoria Rgnl, ASTORIA THREE, Graphic DP
Astoria, OR, Astoria Rgnl, Takeoff Minimums and Obstacle DP, Amdt 7
Portland, OR, Portland-Hillsboro, ILS OR LOC RWY 13R, Amdt 10B
Kenedy, TX, Karnes County, RNAV (GPS) RWY 16, Orig-B
Mineola/Quitman, TX, Wood County, RNAV (GPS) RWY 18, Orig-B
Mineola/Quitman, TX, Wood County, RNAV (GPS) RWY 36, Orig-C
Port Isabel, TX, Port Isabel-Cameron County, Takeoff Minimums and Obstacle DP, Amdt 2B
Rice Lake, WI, Rice Lake Rgnl—Carl's Field, RNAV (GPS) RWY 19, Amdt 3
Afton, WY, Afton Muni, AFTON FOUR, Graphic DP

Rescinded: On May 23, 2018 (83 FR 23802), the FAA published an Amendment in Docket No. 31193, Amdt No. 3799, to Part 97 of the Federal Aviation Regulations under section 97.23. The following entry for Wellsville, NY, effective July 19, 2018, is hereby rescinded in its entirety:

Wellsville, NY, Wellsville Muni Arpt, Tarantine Fld, VOR–A, Amdt 6, CANCELED

[FR Doc. 2018–12713 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31198; Amdt. No. 3804]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide for the safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective June 14, 2018. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 14, 2018.

ADDRESSES: Availability of matter incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590–0001;
2. The FAA Air Traffic Organization Service Area in which the affected airport is located;
3. The office of Aeronautical Navigation Products, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,
4. 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/code_of_federal_regulations/ibr_locations.html.*

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center online at *nfdc.faa.gov* to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT: Thomas J. Nichols, Flight Procedure Standards Branch (AFS–420) Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box

25082 Oklahoma City, OK 73125) telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) by amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (NFDC)/Permanent Notice to Airmen (P–NOTAM), and is incorporated by reference under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR 97.20. The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained on FAA form documents is unnecessary.

This amendment provides the affected CFR sections, and specifies the SIAPs and Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP and Takeoff Minimums and ODP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP and Takeoff Minimums and ODP as modified by FDC permanent NOTAMs.

The SIAPs and Takeoff Minimums and ODPs, as modified by FDC permanent NOTAM, and contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for these SIAP and Takeoff Minimums and ODP amendments require making them effective in less than 30 days.

Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making these SIAPs effective in less than 30 days.

The FAA has determined that this 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 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on June 1, 2018.

John S. Duncan,

Executive Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal regulations, Part 97, (14 CFR part 97), is amended by amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

Effective Upon Publication

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
19-Jul-18	LA	Lafayette	Lafayette Rgnl/Paul Fournet Field.	7/0318	5/21/18	RADAR 1, Amdt 10A
19-Jul-18	WI	Prairie Du Sac	Sauk-Prairie	8/2721	5/21/18	RNAV (GPS) Rwy 36, Orig
19-Jul-18	WI	Prairie Du Sac	Sauk-Prairie	8/2723	5/21/18	RNAV (GPS) Rwy 18, Orig-A
19-Jul-18	WI	Watertown	Watertown Muni	8/2964	5/21/18	RNAV (GPS) Rwy 11, Orig
19-Jul-18	FL	Gainesville	Gainesville Rgnl	8/3252	5/21/18	ILS OR LOC Rwy 29, Amdt 12E
19-Jul-18	TX	Hereford	Hereford Muni	8/4499	5/21/18	NDB Rwy 20, Amdt 2A
19-Jul-18	WI	Madison	Dane County Rgnl-Truax Field.	8/4646	5/21/18	RNAV (GPS) Rwy 3, Orig-C
19-Jul-18	CA	Upland	Cable	8/6310	5/21/18	Takeoff Minimums and Obstacle DP, Amdt 3
19-Jul-18	AR	Monticello	Monticello Muni/Ellis Field	8/7594	5/21/18	VOR–A, Amdt 6A
19-Jul-18	AR	Monticello	Monticello Muni/Ellis Field	8/7600	5/21/18	RNAV (GPS) Rwy 21, Amdt 2
19-Jul-18	NE	Norfolk	Norfolk Rgnl/Karl Stefan Memorial Fld.	8/8694	5/21/18	VOR Rwy 32, Amdt 7
19-Jul-18	NE	Norfolk	Norfolk Rgnl/Karl Stefan Memorial Fld.	8/8709	5/21/18	RNAV (GPS) Rwy 32, Amdt 1

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
19-Jul-18	NE	Norfolk	Norfolk Rgnl/Karl Stefan Memorial Fld.	8/8711	5/21/18	VOR Rwy 19, Amdt 8
19-Jul-18	MO	St Louis	Creve Coeur	8/9092	5/21/18	Takeoff Minimums and Obstacle DP, Amdt 2
19-Jul-18	MA	Beverly	Beverly Rgnl	8/9547	5/21/18	RNAV (GPS) Rwy 27, Amdt 1A
19-Jul-18	SC	Aiken	Aiken Muni	8/9658	5/21/18	ILS OR LOC/DME Rwy 7, Orig-C
19-Jul-18	SC	Aiken	Aiken Muni	8/9659	5/21/18	NDB Rwy 25, Amdt 10C
19-Jul-18	SC	Aiken	Aiken Muni	8/9660	5/21/18	RNAV (GPS) Rwy 25, Amdt 1C
19-Jul-18	SC	Aiken	Aiken Muni	8/9661	5/21/18	RNAV (GPS) Rwy 7, Amdt 1C
19-Jul-18	SC	Aiken	Aiken Muni	8/9662	5/21/18	VOR/DME–A, Amdt 1A

[FR Doc. 2018–12710 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

20 CFR Part 725

RIN 1240–AA11

Black Lung Benefits Act: Medical Benefit Payments

AGENCY: Office of Workers' Compensation Programs, Labor.

ACTION: Final rule.

SUMMARY: This final rule revises the regulations under the Black Lung Benefits Act (BLBA or Act) governing the payment of medical benefits and maintains the level of care available to miners. The final rule establishes methods for determining the amounts that the Black Lung Disability Trust Fund (Trust Fund) will pay for covered medical services and treatments provided to entitled miners. The Department based the rule on payment formulas that the Centers for Medicare & Medicaid Services (CMS) uses to determine payments under the Medicare program, which are similar to the formulas used by other programs that the Office of Workers' Compensation Programs (OWCP) administers. The Department is adopting these payment formulas for the black lung program because they more accurately reflect prevailing community rates for authorized treatments and services than do the internally-derived payment formulas that OWCP currently uses. In addition, the final rule eliminates two obsolete provisions.

DATES:

Effective Date: This rule is effective August 31, 2018.

Applicability Dates: Sections 725.708(d), 725.709, and 725.711 apply to medical equipment, prescription drugs, and inpatient medical services provided or rendered after August 31, 2018. Sections 725.708(a) and (b) and 725.710 apply to professional medical services and outpatient medical services rendered after November 30, 2019.

FOR FURTHER INFORMATION CONTACT: Michael A. Chance, Director, Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, U.S. Department of Labor, 200 Constitution Avenue NW, Suite N–3520, Washington, DC 20210. Telephone: 1–800–347–2502. This is a toll-free number. TTY/TDD callers may dial toll-free 1–800–877–8339 for further information.

SUPPLEMENTARY INFORMATION:

I. Background of This Rulemaking

The BLBA, 30 U.S.C. 901–944, provides for the payment of benefits to coal miners and certain of their dependent survivors on account of total disability or death due to coal workers' pneumoconiosis. 30 U.S.C. 901(a); *Usery* v. *Turner Elkhorn Min. Co.,* 428 U.S. 1, 5 (1976). A miner who is entitled to disability benefits under the BLBA is also entitled to medical benefits. 33 U.S.C. 907, as incorporated by 30 U.S.C. 932(a); 20 CFR 725.701. Those medical benefits entitle a miner to medical, surgical, and other treatment—including hospital services, medicine, equipment, and supplies—for his or her pneumoconiosis and related disability. 20 CFR 725.701(b). The rules governing the payment of medical benefits are contained in 20 CFR part 725, subpart J.

Benefits are paid by either a ''responsible'' coal mine operator (or its insurance carrier), or the Trust Fund. *Director, OWCP* v. *Bivens,* 757 F.2d 781, 783 (6th Cir. 1985); *see* 20 CFR 725.495 (criteria for determining a responsible operator). OWCP pays medical benefits from the Trust Fund in three instances: (1) If no responsible operator can be identified as the party liable for a claim, and the Trust Fund is liable as a result (*see* 20 CFR 725.701(b)); (2) when the identified responsible operator declines to pay benefits pending final adjudication of a claim (*see* 20 CFR 725.522, 725.708(b)); and (3) when the responsible operator fails to meet its payment obligations on an effective award (*see* 20 CFR 725.502). For interim payments made pending final adjudication, OWCP seeks reimbursement from the operator after the claim is finally awarded. 20 CFR 725.602(a). Likewise, OWCP seeks reimbursement for payments made when an operator fails to meet its obligations on an effective award. 20 CFR 725.601.

Although the current regulations provide that medical services and supplies be paid at the rate prevailing in the community where the physician, medical facility or supplier is located, they do not address how the prevailing community rate should be determined. *See* 20 CFR 725.706(c). OWCP currently bases Trust Fund payments for professional medical services, medical equipment, and inpatient and outpatient medical services and treatments on internally-derived payment formulas. For prescription medications, OWCP uses a payment formula similar to that employed by the three other workers' compensation programs that it administers.

On January 4, 2017, the Department issued a Notice of Proposed Rulemaking (NPRM), proposing a revised Subpart J. 82 FR 739–770 (Jan. 4, 2017). Specifically, the Department proposed to base Trust Fund payments for all medical services and treatments rendered on or after the effective date of the rule on payment formulas derived from those used by CMS under the Medicare program. *Id.* at 740. The proposed payment formulas were similar to those used by other OWCP programs, but were tailored to the specific geography, medical conditions, and needs of black lung program stakeholders. *See id.* at 767 (proposed § 725.707).

The Department chose these payment formulas for several reasons. The proposed formulas more accurately reflected prevailing community rates for authorized treatments and services than did OWCP's internally-derived formulas. *Id.* at 740. In addition,

because responsible operators and their insurance carriers utilize payment formulas or fee schedules that are substantially similar to the proposed payment formulas, use of such formulas would more likely lead operators to reimburse fully the Trust Fund for the payments the Trust Fund makes on an interim basis. *Id.* Thus, the proposed rule would control the health care costs associated with the BLBA, conserve the Trust Fund's limited resources, and provide greater clarity and certainty with respect both to fees paid to providers and reimbursements sought from operators and carriers. The rule would also ensure more consistent payment policies across all of the programs administered by OWCP. *Id.*

The public comment period closed on March 6, 2017. The Department has fully evaluated these comments and has determined that proceeding with a final rule is in the best interests of the stakeholders and the program's administration.

II. Statutory Authority

Section 426(a) of the BLBA, 30 U.S.C. 936(a), authorizes the Secretary of Labor to prescribe rules and regulations necessary for the administration and enforcement of the BLBA. The Secretary is also explicitly empowered to promulgate regulations addressing medical fees and charges, including determining the prevailing community rate. 33 U.S.C. 907(g), as incorporated by 30 U.S.C. 932(a).

III. Discussion of Significant Comments

The Department received eleven comments on the proposed regulations. Most of these comments focus on a few substantive issues. Some commenters generally supported OWCP's efforts to modernize the medical payment formulas and no commenters expressed overall objections to the promulgation of these rules. Several commenters applauded the technical changes made to several rules to simplify and clarify the language, such as replacing the term ''Office'' with ''OWCP.'' No negative comments were received on the following revised or new regulations: §§ 725.308, 725.701, 725.702, 725.703, 725.704, 725.706, 725.708, 725.711, 725.712, and 725.714–725.720. Thus, the Department is promulgating these regulations as proposed. The Department received one negative comment on the substantive provisions of § 725.705 (titled ''Is prior authorization for medical services required?''), but the Department proposed only technical changes to this rule and did not open it for substantive comment. Thus, the Department is promulgating § 725.705 as proposed.

In addition to comments received on specific sections of the proposed rules (discussed below in the Section-by-Section Explanation), a few commenters offered more general comments. One suggested that the medical bill payment rules should contain provisions allowing the Director to sue operators who fail to properly reimburse the Trust Fund for medical benefit payments made on their behalf. The BLBA incorporates various provisions of the and Harbor Workers' Compensation Act, 33 U.S.C. 918(a), 921(d), as incorporated by 30 U.S.C. 932(a), that already provide the Department with authority to undertake such suits. *See generally* 20 CFR 725.601–725.605 (regulations implementing enforcement of liability against operators). The implementing regulations clarify that these enforcement tools may be used when an operator fails to reimburse the Trust Fund for medical benefits. 20 CFR 725.602(a). Thus, the Department does not believe that any additional authority is necessary.

Another commenter requested that the Department specify when OWCP will exercise its discretion to modify or change payment formulas or parts thereof as provided in several proposed regulations. *See* proposed §§ 725.707, 725.708, 725.709, 725. 710, 725.711. The vast majority of payments for medical services and treatments will be determined under the payment formulas set out in these regulations. The provisions giving OWCP discretion to modify or change payment formulas are intended to allow OWCP to respond quickly to unique or novel medical, technological, or financial circumstances that arise in implementing the payment formulas both initially and over time. The Department cannot predict when that might occur, and thus cannot specify when OWCP would take such discretionary actions.

Finally, the Department has determined that a two-phase implementation of this rule will be more efficient and cost-effective, allow sufficient time to update and improve its computer processes, and result in less disruption, than implementing the entire rule at once. Except for §§ 725.708(a) and (b) and 725.710, all provisions of this rule (including the payment formulas for medical equipment, prescription drugs and inpatient medical services) will apply to services and treatments rendered after the effective date of the rule, August 31, 2018. The Department can apply these regulations immediately because they either codify existing practices or require easily implemented modifications to current payment processes. The provisions of §§ 725.708(a) and (b) and 725.710 (governing the payment of professional medical services and outpatient medical services) will apply to services and treatments rendered after November 30, 2019. Both regulations would require extensive modifications to the existing computer processes for full implementation. The Department is currently transitioning to a new computer system and will realize cost-savings by building the new payment methodologies into that system rather than modifying the existing one. The Department has revised three provisions (§§ 725.707, 725.708 and 725.710) to reflect the two-phase implementation. The changes to each provision are discussed in the Section-by-Section Explanation.

Section-by-Section Explanation

20 CFR 725.707 At what rate will fees for medical services and treatments be paid?

(a) Section 725.707 is a new provision that sets out general rules governing the payment of compensable medical bills by the Trust Fund. It provides that the Trust Fund will pay no more than the prevailing community rate for medical services, treatments, drugs or equipment, and that the prevailing community rate for various types of treatments and services will generally be determined under the provisions of §§ 725.708–725.711. Where the provisions of §§ 725.708–725.711 cannot be used to determine the prevailing community rate, the rule permits OWCP to determine the prevailing community rate based on other payment formulas or evidence. This section also requires OWCP to review the payment formulas in §§ 725.708–725.711 annually, and permits OWCP to adjust, revise or replace any formula (or its components) when needed.

(b) Four commenters express concern that the proposed payment formulas may have a negative impact on miners' access to care. This concern stems from the fact that reduced payments will result in some circumstances under the proposed rules. One commenter believes that rural Appalachia would feel the greatest impact.

The Department agrees that maintaining miners' access to care is of paramount importance in implementing the payment formulas for various services and treatments. In fact, OWCP made access to care a primary

consideration during the development of the proposed rules. Although the text of proposed § 725.707 does not directly address impact on access to care, the NPRM's preamble makes repeated reference to this concern and expresses OWCP's intent to continually review the payment formulas to ensure that they do not adversely impact access to care. In particular, the rule requires OWCP to review the payment formulas at least annually and revise them if needed, § 725.707(e), and the preamble to this provision makes clear that it is intended to allow OWCP to quickly make changes to the formulas if they ''are adversely impacting miners' access to care, or are otherwise not appropriate.'' 82 FR 742; *see also id.* at 740, 746, 748, 749, 752. These changes could include adjustments for particular geographic areas.

Nonetheless, the commenters' general concern is important and the Department agrees that maintaining access to care should be codified in the regulation. Thus, the Department has revised § 725.707(e) in the final rule to specifically require that OWCP consider and ensure miners' access to care in its annual review of the payment formulas in §§ 725.708–.725.711. The Department believes that this clarification of its intent will prevent miners' access to care from being negatively affected by the new payment formulas.

(c) Finally, the Department has revised § 725.707(f) to reflect the phased implementation of this rule. This paragraph now provides that the provisions of the rule apply to all medical services or treatments rendered after the effective date of the rule (August 31, 2018), except as otherwise noted in the rule. A different application date for the payment formulas for professional medical services and outpatient medical services is now provided in §§ 725.708 and 725.710. These regulations apply to services and treatments rendered after November 30, 2019.

20 CFR 725.708 How are payments for professional medical services and medical equipment determined?

Section 725.708 is a new provision governing payment for professional medical services and medical equipment. No comments were received on this provision. The Department, however, has revised the provision to reflect the phased implementation of this rule. The Department has added a new paragraph (c), which states that the provisions of paragraphs (a) and (b) apply to professional medical services rendered after November 30, 2019. This later applicability date does not apply to payments for medical equipment, which are instead governed by the general applicability date in § 725.707(f). The Department has also renumbered paragraph (c) of the proposed rule (dealing with payment for medical equipment) as paragraph (d).

20 CFR 725.709 How are payments for prescription drugs determined?

(a) Section 725.709 is a new provision governing payment for compensable prescription drugs. The regulation codifies existing policy and does not change current payment practice. It is also consistent with the payment practices of the other programs that OWCP administers. Section 725.709 generally provides for payment for prescribed medication at a percentage of the national average wholesale price (or another baseline price designated by OWCP) for a particular medication, plus a flat-rate dispensing fee. It also provides that OWCP may, in its discretion, require the use of specific providers for certain medications.

(b) One commenter asks OWCP to specify when miners will be required to use specific providers for certain medications. The comment also requests clarification of whether OWCP will directly negotiate with drug manufacturers, presumably with respect to the cost of medications.

The Department declines to revise the regulation in response to this comment. OWCP does not currently require the use of specific providers for any medication under the BLBA. The provision in § 725.709 gives OWCP the option of doing so in the future if it would be in the best interests of both the agency and the program's stakeholders. It is not possible to predict or specify when OWCP might use this option. OWCP, however, would advise miners and providers before any such requirement were implemented. With respect to negotiating drug prices with drug manufacturers, OWCP is a third-party payer and does not directly purchase medications or distribute them to miners.

20 CFR 725.710 How are payments for outpatient medical services determined?

(a) Section 725.710 is a new provision governing payment for compensable outpatient medical services. As proposed, it provides that, where appropriate, OWCP will utilize the Outpatient Prospective Payment System (OPPS) devised by CMS for the Medicare program. The proposed rule also states that where outpatient services cannot be assigned or priced appropriately under the OPPS system, payment will be based on fee schedules and other pricing formulas utilized by OWCP.

(b) One commenter requested clarification of the proposed rules with respect to payments that would be made to Critical Access Hospitals (CAHs) for outpatient hospital services. CAHs are small hospitals (generally 25 beds or less) in isolated rural areas (35 miles or more from another hospital, 15 or more miles in mountainous areas) that provide emergency services and offer short-term (generally less than 96 hours) inpatient services. *See* 42 U.S.C. 1395i–4, 1395x; 42 CFR 485.601–485.647. Medicare uses different payment formulas for services and treatments at CAHs than those used to pay other hospitals. In particular, Medicare excludes CAHs from both its inpatient and outpatient prospective payment systems. The commenter notes that under proposed § 725.711 (inpatient hospital services), services at facilities (such as CAHs) that are excluded from Medicare's Inpatient Prospective Payment System will be paid under fee schedules or other pricing formulas. The commenter requests clarification of whether a similar policy will be applied for outpatient services, given that CAHs are excluded from Medicare's OPPS. The commenter also requests that the Department consider undertaking additional economic analysis of applying the OPPS to CAHs.

During the development of the proposed rules, OWCP determined that CAHs would be exempt from the new outpatient and inpatient prospective payment systems generally applicable to other hospitals, as CAHs are excluded from Medicare's prospective payment systems. While this determination was codified in the inpatient regulation (§ 725.711), it was omitted from the outpatient regulation (§ 725.710). The Department agrees with the commenter that § 725.710 should be revised to clarify that the outpatient payment formula described in paragraph (a) of the provision does not apply to services at facilities (such CAHs) that are excluded from Medicare's OPPS. Thus, the Department has revised § 725.710(b) in the final rule to provide that services at such facilities will be paid ''based on fee schedules or other pricing formulas utilized by OWCP for outpatient services.'' This revision mirrors the inpatient rule and is consistent with Medicare's exclusion of CAHs from its OPPS. Since the Department has revised § 725.710 to exclude CAHs from the general payment formula, there is no need to analyze the economic impact of that formula on CAHs.

(c) Finally, the Department has revised § 725.710 to reflect the phased

implementation of this rule. The Department has added a new paragraph (d), which states that the provisions of this section apply to outpatient medical services rendered after November 30, 2019.

20 CFR 725.713 If a fee is reduced, may a provider bill the claimant for the balance?

(a) Section 725.713 is a new provision addressing reductions in requested fees. The proposed regulation provides that if a billed fee has been reduced (*i.e.,* only paid in part) in accordance with the provisions of Subpart J, providers may not recover any additional amount from the miner. It, thus, prohibits the practice of ''balance billing,'' which occurs when providers receive only a portion of their submitted charges from third-party payers and seek to recover the ''balance'' from the patient.

(b) Three commenters request that the proposed rule be extended to prohibit balance billing where OWCP makes *no* payment for a treatment or service, as well as where the agency makes partial payment. The commenters also request that the principle that disabled miners and their families should never have to make any payments for covered treatments and services under the BLBA be explicitly stated in the rule.

It is OWCP's longstanding position and practice that miners should not be subject to balance billing for treatments and services that are covered under these regulations. To make this clear, the Department has revised § 725.713 in the final rule to explicitly state that providers cannot bill miners for, and that miners are not required to pay, any remaining balance for any treatments or services provided pursuant to this subpart (*i.e.,* that are for a miner's disabling pneumoconiosis) after OWCP makes partial payment for such treatments and services. *See also* discussion at § 725.717 (noting similar revision). OWCP, however, has no legal authority to pay bills for services or treatments not covered under the BLBA (*i.e.,* that are unrelated to a miner's disabling pneumoconiosis), or to regulate the payment and collection of such bills. Thus, the Department declines to extend § 725.713 to situations where OWCP denies payment entirely for noncovered services or treatments.

§ 725.717 What are the time limitations for requesting payment or reimbursement for covered medical services or treatments?

(a) Section 725.717 is a new provision setting time limits on the submission of bills by providers and reimbursement requests by miners. Bills and reimbursement requests must be submitted within one year of either (1) the end of the calendar year in which the service or treatment was provided or (2) the end of the calendar year in which the miner's entitlement to benefits was finally adjudicated, whichever is later. OWCP may waive these time limits for good cause shown.

(b) As discussed under § 725.713, several commenters asked the Department to clarify in the regulations that miners are not required to pay for covered treatments and services. The Department agrees with the commenters' point. Thus, in addition to revising § 725.713, the Department has revised the title and text of § 725.717 to clarify that a provider may not seek reimbursement from a miner when OWCP denies an otherwise-compensable bill due to late submission.

IV. Information Collection Requirements (Subject to the Paperwork Reduction Act) Imposed Under the Proposed Rule

The Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.,* and its implementing regulations, 5 CFR part 1320, require that the Department consider the impact of paperwork and other information collection burdens imposed on the public. A federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the Office of Management and Budget (OMB) under the PRA and displays a current, valid OMB Control Number. In addition, no person may generally be subject to penalty for failing to comply with an information collection that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

Although the medical benefit payment rules in Subpart J contain collections of information within the meaning of the PRA (*see* §§ 725.715–725.716), these collections are not new. They are currently approved for use in the black lung program and other OWCP-administered compensation programs by OMB under Control Numbers 1240–0007 (OWCP–915 Claim for Medical Reimbursement); 1240–0019 (OWCP–04 Uniform Billing Form); 1240–0021 (OWCP–1168 Provider Enrollment Form); 1240–0037 (OWCP–957 Medical Travel Refund Request); and 1240–0044 (OWCP–1500 Health Insurance Claim Form). The requirements for completion of the forms and the information collected on the forms do not change under this rule. Since no changes are being made to the collections, the overall burdens imposed by them also will not change.

While the Department has determined that the rule does not affect the general terms of the information collections or their associated burdens, consistent with requirements codified at 44 U.S.C. 3506(a)(1)(B), (c)(2)(B) and 3507(a)(1)(D); 5 CFR 1320.11, the Department submitted a series of Information Collection Requests (ICRs) to OMB for approval concurrent with the NPRM to update the information collections to reflect this rulemaking and provide interested parties a specific opportunity to comment under the PRA. The NPRM specifically invited comments regarding the information collection and notified the public of their opportunity to file such comments with both OMB and the Department. 82 FR 742. On March 6, 2017, OMB concluded its review of the ICRs by asking the Department to submit updated ICRs at the final rule stage after considering any public comments regarding the information collection requirements in the rule. While the Department received comments on the substance of the proposed rule, which are addressed in the Section-by-Section Explanation above, it received no comments about the information collection burdens.

The Department submitted updated ICRs to OMB for the information collections in this final rule. *See* ICR Reference Numbers 1240–0007: 201805–1240–0006; 1240–0019: 201805–1240–0005; 1240–0021: 201805–1240–0004; 1240–0037: 201805–1240–0003; and 1240–0044: 201805–1240–0002. A copy of these requests (including supporting documentation) may be obtained free of charge from the *Reginfo.gov* website at *www.Reginfo.gov* or by contacting Michael A. Chance, Director, Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, U.S. Department of Labor, 200 Constitution Avenue NW, Suite N–3464, Washington, DC 20210. Telephone: (202) 693–0978 (this is not a toll-free number). TTY/TDD callers may dial toll-free 1–800–877–8339. Concurrent with its approval of this rule, OMB also approved the updated ICRs.

The information collections in this rule are summarized as follows. The number of responses and burden estimates listed are not specific to the black lung program; instead, the estimates are cumulative for all OWCP-administered compensation programs that collect this information.

1. *Title of Collection:* Claim for Medical Reimbursement Form (OWCP–915).
OMB Control Number: 1240–0007.
Total Estimated Number of Responses: 34,564.
Total Estimated Annual Time Burden: 5,738 hours.
Total Estimated Annual Other Costs Burden: $59,450.
2. *Title of Collection:* Uniform Billing Form (OWCP–04).
OMB Control Number: 1240–0019.
Total Estimated Number of Responses: 259,865.
Total Estimated Annual Time Burden: 29,466 hours.
Total Estimated Annual Other Costs Burden: $0.
3. *Title of Collection:* Provider Enrollment Form (OWCP–1168).
OMB Control Number: 1240–0021.
Total Estimated Number of Responses: 64,325.
Total Estimated Annual Time Burden: 8,555 hours.
Total Estimated Annual Other Costs Burden: $33,449.
4. *Title of Collection:* Medical Travel Refund Request (OWCP–957).
OMB Control Number: 1240–0037.
Total Estimated Number of Responses: 333,528.
Total Estimated Annual Time Burden: 55,366 hours.
Total Estimated Annual Other Costs Burden: $173,435.
5. *Title of Collection:* Health Insurance Claim Form (OWCP–1500).
OMB Control Number: 1240–0044.
Total Estimated Number of Responses: 3,381,232.
Total Estimated Annual Time Burden: 321,455 hours.
Total Estimated Annual Other Costs Burden: $0.

V. Executive Orders 12866 and 13563 (Regulatory Planning and Review)

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). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. It also instructs agencies to review ''rules that may be outmoded, ineffective, insufficient, or excessively burdensome, and to modify, streamline, expand, or repeal them.'' The Department has considered the final rule with these principles in mind and has determined that the regulated community will benefit from this regulation.

The Department addressed these issues in the NPRM. 82 FR 745–752. The Department comprehensively analyzed the potential economic impact of the new payment formulas and determined that they would not have a significant impact on either the economy as a whole or on firms that provide black lung-related health care to entitled miners. 82 FR 745–751. Comparing Trust Fund medical benefit payments for Fiscal Year 2014 with payment amounts that would be made under the proposed regulations for the same services, the Department estimated an aggregate $3,154,297 annual reduction in Trust Fund payments under the proposed payment formulas. 82 FR 751. Further analysis revealed that even for negatively affected providers, the proposed rule would not have significant impact on individual firms. *Id.*

The Department also noted the rule's multiple advantages that serve the interests of stakeholders. 82 FR 752. The proposed formulas would bring Trust Fund payments in line with industry standards, help protect the Trust Fund from inaccurate and excessive payments, ease recouping of medical benefits paid by the Trust Fund on a liable operator's behalf, and conserve the Trust Fund's limited resources. *Id.* Additionally, the new formulas would decrease administrative costs, reduce disparities in provider reimbursements, shorten the time period providers must wait for reimbursement, and provide all stakeholders with greater clarity and certainty regarding the black lung medical benefit payment process. *Id.*

The Department received one comment suggesting that the economic analysis in the NPRM improperly focused solely on the nation-wide impacts of the proposed rules. This is incorrect. In addition to considering the overall impact of the proposed rules, the analysis addressed the impact of the proposed payment formulas on a state-by-state basis. *See* 82 FR 746–751.

The same commenter takes issue with a statement in the NPRM's economic analysis that any decline in the number of entitled claimants may result in a decline in payments by the Trust Fund, even apart from any change in payments resulting from the new payment formulas. *See* 82 FR 751. The commenter suggests that claims filed by miners with complicated pneumoconiosis, a more serious form of the disease, are in fact increasing in certain areas. The Department did not mean to suggest that miners would be less likely to contract pneumoconiosis in the future or that the number of claims filed could not fluctuate from year to year. Rather, the Department was simply noting that there had been a long-term decline in both the number of beneficiaries covered, and medical benefit payments made, by the Trust Fund. *See id.,* n.17.

The Department received no other comments calling its cost-benefit analysis into question. Thus, the Department continues to believe that the cost savings and other benefits of this rule support its promulgation.

The Office of Information and Regulatory Affairs of the Office of Management and Budget has determined that this rule is a ''significant regulatory action'' under section 3(f)(4) of Executive Order 12866 and has reviewed it.

VI. Regulatory Flexibility Act and Executive Order 13272 (Proper Consideration of Small Entities in Agency Rulemaking)

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601 *et seq.,* and Executive Order 13272 require agencies to review proposed and final rules to assess their impact on small entities. The agency must determine whether a proposed rule may have a ''significant'' economic impact on a ''substantial'' number of small entities, including small businesses, not-for-profit organizations, and small governmental jurisdictions. *See* 5 U.S.C. 603. If the agency estimates that a proposed rule would have a significant impact on a substantial number of small entities, then it must prepare an initial regulatory flexibility analysis as described in the RFA. *Id.* The RFA also requires agencies to prepare a final regulatory flexibility analysis when promulgating a final rule. 5 U.S.C. 604. However, the RFA does not require a regulatory flexibility analysis if the agency certifies that the proposed or final rule will not have a significant economic impact on a substantial number of small entities and provides the factual basis for the certification. 5 U.S.C. 605. The Department has determined that a final regulatory flexibility analysis is not required for this rulemaking.

The Department conducted an initial regulatory flexibility analysis to aid understanding of the impact of the proposed rule and invited comments on all aspects of the costs and benefits of the proposed rule, with particular attention to the effects of the rule on small entities. *See* 82 FR 752–765. To determine whether the rule would have a significant impact on a small entity,

the Department used as its standard whether the rule would impose costs that equal or exceed 3% or more of the entity's annual revenue. 82 FR 752. Applying this standard, the Department considered whether the rule would significantly impact 15% or more of the small entities in the relevant industry. 82 FR 752–53. The Department separately examined the rule's impact on small entities of each provider type (non-hospital health care services providers, hospitals providing outpatient services, and hospitals providing inpatient services) affected by the rule. 82 FR 753–764. The Department estimated that the rule will not have a significant impact on any small entity providing non-hospital health care services. 82 FR 759. The Department estimated that one small hospital entity providing outpatient services and two providing inpatient services will be significantly impacted, but these entities do not constitute a substantial number of the total number of negatively affected small hospitals providing either outpatient or inpatient services. 82 FR 761, 763. The Department noted that its analysis likely overstated the impact of the rule on negatively affected small entities. 82 FR 765. The Department therefore concluded that the rule, if adopted, would not have a significant impact on a substantial number of small entities. *Id.*

No comments were received that raise a significant issue regarding the initial regulatory flexibility analysis or that provide a basis for departing from the conclusion reached in the analysis. Significantly, with the exception of CAHs, no commenter or interested small business brought forth any information that contradicts the Department's assumptions or conclusions in the initial regulatory flexibility analysis, despite the Department's specific request for comments about adverse effects on small businesses. And the Department's determination, as explained in the Section-by-Section Explanation above, to exclude CAHs from the new payment formulas renders the request to analyze the impact of those formulas on CAHs moot.

Based on these facts, the Department certifies for the purposes of 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. Accordingly, it has not prepared a final regulatory impact analysis. The Department will provide the Chief Counsel for Advocacy of the Small Business Administration with a copy of this certification. *See* 5 U.S.C. 605.

VII. Executive Order 13771 (Reducing Regulation and Controlling Regulatory Costs)

This final rule is not subject to the requirements of Executive Order 13771 because this final rule addresses transfer costs and does not impose any new requirements apart from the transfers. OMB's interim guidance on E.O. 13771 (Para II, Q2) (February 2, 2017) and OMB additional guidance on E.O. 13771 (Para III, Q13) (April 5, 2017); *see also* 82 FR 746, 748–49 (recognizing rules as implicating transfer costs).

VIII. Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1531 *et seq.,* directs agencies to assess the effects of Federal Regulatory Actions on State, local, and tribal governments, and the private sector, ''other than to the extent that such regulations incorporate requirements specifically set forth in law.'' 2 U.S.C. 1531. For purposes of the Unfunded Mandates Reform Act, this rule does not include any Federal mandate that may result in increased expenditures by State, local, tribal governments, or increased expenditures by the private sector of more than $100,000,000.

IX. Executive Order 13132 (Federalism)

The Department has reviewed this rule in accordance with Executive Order 13132 regarding federalism, and has determined that it does not have ''federalism implications.'' The 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.'' *Id.*

X. Executive Order 12988 (Civil Justice Reform)

This rule meets the 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.

XI. Congressional Review Act

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 report, which includes a copy of the rule, to each House of Congress and to the Comptroller General of the United States. OWCP will report this rule's promulgation to each House of Congress and the Comptroller General simultaneously with publication of the rule in the **Federal Register**. The report will state that the rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 20 CFR Part 725

Administrative practice and procedure, Black lung benefits, Claims, Coal miners' entitlement to benefits, Health care, Reporting and recordkeeping requirements, Survivors' entitlement to benefits, Total disability due to pneumoconiosis, Vocational rehabilitation, Workers' compensation.

For the reasons set forth in the preamble, the Department of Labor amends 20 CFR part 725 as follows:

PART 725—CLAIMS FOR BENEFITS UNDER PART C OF TITLE IV OF THE FEDERAL MINE SAFETY AND HEALTH ACT, AS AMENDED

■ 1. The authority citation for part 725 continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at sec. 701; Reorganization Plan No. 6 of 1950, 15 FR 3174; 30 U.S.C. 901 *et seq.,* 902(f), 921, 932, 936; 33 U.S.C. 901 *et seq.;* 42 U.S.C. 405; Secretary's Order 10–2009, 74 FR 58834.

■ 2. Amend § 725.308 as follows:
■ a. Remove paragraph (b);
■ b. Redesignate paragraph (c) as paragraph (b);
■ c. Remove from the second sentence in redesignated paragraph (b) ''However, except as provided in paragraph (b) of this section, the'' and add in its place ''The''.

■ 3. In part 725, revise subpart J to read as follows:

Subpart J—Medical Benefits and Vocational Rehabilitation

Sec.
725.701 What medical benefits are available?
725.702 Who is considered a physician?
725.703 How is treatment authorized?
725.704 How are arrangements for medical care made?
725.705 Is prior authorization for medical services required?
725.706 What reports must a medical provider give to OWCP?
725.707 At what rate will fees for medical services and treatments be paid?
725.708 How are payments for professional medical services and medical equipment determined?
725.709 How are payments for prescription drugs determined?
725.710 How are payments for outpatient medical services determined?
725.711 How are payments for inpatient medical services determined?
725.712 When and how are fees reduced?
725.713 If a fee is reduced, may a provider bill the claimant for the balance?
725.714 How do providers enroll with OWCP for authorizations and billing?

725.715 How do providers submit medical bills?
725.716 How should a miner prepare and submit requests for reimbursement for covered medical expenses and transportation costs?
725.717 What are the time limitations for requesting payment or reimbursement for covered medical services or treatments?
725.718 How are disputes concerning medical benefits resolved?
725.719 What is the objective of vocational rehabilitation?
725.720 How does a miner request vocational rehabilitation assistance?

Subpart J—Medical Benefits and Vocational Rehabilitation

§ 725.701 What medical benefits are available?

(a) A miner who is determined to be eligible for benefits under this part or part 727 of this subchapter (*see* § 725.4(d)) is entitled to medical benefits as set forth in this subpart as of the date of his or her claim, but in no event before January 1, 1974. Medical benefits may not be provided to the survivor or dependent of a miner under this part.

(b) A responsible operator, or where there is none, the fund, must furnish a miner entitled to benefits under this part with such medical services and treatments (including professional medical services and medical equipment, prescription drugs, outpatient medical services, inpatient medical services, and any other medical service, treatment or supply) for such periods as the nature of the miner's pneumoconiosis and disability requires.

(c) The medical benefits referred to in paragraphs (a) and (b) of this section include palliative measures useful only to prevent pain or discomfort associated with the miner's pneumoconiosis or attendant disability.

(d) An operator or the fund must also pay the miner's reasonable cost of travel necessary for medical treatment (to be determined in accordance with prevailing United States government mileage rates) and the reasonable documented cost to the miner or medical provider incurred in communicating with the operator, carrier, or OWCP on matters connected with medical benefits.

(e)(1) If a miner receives a medical service or treatment, as described in this section, for any pulmonary disorder, there will be a rebuttable presumption that the disorder is caused or aggravated by the miner's pneumoconiosis.

(2) The party liable for the payment of benefits may rebut the presumption by producing credible evidence that the medical service or treatment provided was for a pulmonary disorder apart from those previously associated with the miner's disability, or was beyond that necessary to effectively treat a covered disorder, or was not for a pulmonary disorder at all.

(3) An operator or the fund, however, cannot rely on evidence that the miner does not have pneumoconiosis or is not totally disabled by pneumoconiosis arising out of coal mine employment to defeat a request for coverage of any medical service or treatment under this subpart.

(4) In determining whether the treatment is compensable, the opinion of the miner's treating physician may be entitled to controlling weight pursuant to § 718.104(d) of this subchapter.

(5) A finding that a medical service or treatment is not covered under this subpart will not otherwise affect the miner's entitlement to benefits.

§ 725.702 Who is considered a physician?

The term ''physician'' includes only doctors of medicine (MD) and doctors of osteopathy (DO) within the scope of their practices as defined by State law. No treatment or medical services performed by any other practitioner of the healing arts is authorized by this part, unless such treatment or service is authorized and supervised both by a physician as defined in this section and by OWCP.

§ 725.703 How is treatment authorized?

(a) Upon notification to a miner of such miner's entitlement to benefits, OWCP must provide the miner with a list of authorized treating physicians and medical facilities in the area of the miner's residence. The miner may select a physician from this list or may select another physician with approval of OWCP. Where emergency services are necessary and appropriate, authorization by OWCP is not required.

(b) OWCP may, on its own initiative, or at the request of a responsible operator, order a change of physicians or facilities, but only where it has been determined that the change is desirable or necessary in the best interest of the miner. The miner may change physicians or facilities subject to the approval of OWCP.

(c) If adequate treatment cannot be obtained in the area of the claimant's residence, OWCP may authorize the use of physicians or medical facilities outside such area as well as reimbursement for travel expenses and overnight accommodations.

§ 725.704 How are arrangements for medical care made?

(a) *Operator liability.* If an operator has been determined liable for the payment of benefits to a miner, OWCP will notify the operator or its insurance carrier of the names, addresses, and telephone numbers of the authorized providers of medical benefits chosen by an entitled miner, and require the operator or carrier to:

(1) Notify the miner and the providers chosen that the operator or carrier will be responsible for the cost of medical services provided to the miner on account of the miner's total disability due to pneumoconiosis;

(2) Designate a person or persons with decision-making authority with whom OWCP, the miner and authorized providers may communicate on matters involving medical benefits provided under this subpart and notify OWCP, the miner and providers of this designation;

(3) Make arrangements for the direct reimbursement of providers for their services.

(b) *Fund liability.* If there is no operator found liable for the payment of benefits, OWCP will make necessary arrangements to provide medical care to the miner, notify the miner and providers selected of the liability of the fund, designate a person or persons with whom the miner or provider may communicate on matters relating to medical care, and make arrangements for the direct reimbursement of the medical provider.

§ 725.705 Is prior authorization for medical services required?

(a) Except as provided in paragraph (b) of this section, medical services from an authorized provider which are payable under § 725.701 do not require prior approval of OWCP or the responsible operator.

(b) Except where emergency treatment is required, prior approval of OWCP or the responsible operator must be obtained before any hospitalization or surgery, or before ordering medical equipment where the purchase price exceeds $300. A request for approval of non-emergency hospitalization or surgery must be acted upon expeditiously, and approval or disapproval will be given by telephone if a written response cannot be given within 7 days following the request. No employee of the Department of Labor, other than a district director or the Chief, Medical Audit and Operations Section, DCMWC, is authorized to approve a request for hospitalization or surgery by telephone.

§ 725.706 What reports must a medical provider give to OWCP?

(a) Within 30 days following the first medical or surgical treatment provided

under § 725.701, the provider must furnish to OWCP and the responsible operator or its insurance carrier, if any, a report of such treatment.

(b) In order to permit continuing supervision of the medical care provided to the miner with respect to the necessity, character and sufficiency of any medical care furnished or to be furnished, the provider, operator or carrier must submit such reports in addition to those required by paragraph (a) of this section as OWCP may from time to time require. Within the discretion of OWCP, payment may be refused to any medical provider who fails to submit any report required by this section.

§ 725.707 At what rate will fees for medical services and treatments be paid?

(a) All fees charged by providers for any medical service, treatment, drug or equipment authorized under this subpart will be paid at no more than the rate prevailing for the service, treatment, drug or equipment in the community in which the provider is located.

(b) When medical benefits are paid by the fund at OWCP's direction, either on an interim basis or because there is no liable operator, the prevailing community rate for various types of service will be determined as provided in §§ 725.708–725.711.

(c) The provisions of §§ 725.708–725.711 do not apply to charges for medical services or treatments furnished by medical facilities of the U.S. Public Health Service or the Departments of the Army, Navy, Air Force and Veterans Affairs.

(d) If the provisions of §§ 725.708–725.711 cannot be used to determine the prevailing community rate for a particular service or treatment or for a particular provider, OWCP may determine the prevailing community rate by reliance on other federal or state payment formulas or on other evidence, as appropriate.

(e) OWCP must review the payment formulas described in §§ 725.708–725.711 at least once a year, and may adjust, revise or replace any payment formula or its components when necessary or appropriate to ensure miners' access to care or for other reasons.

(f) Except as otherwise provided in this subpart, the provisions of §§ 725.707–725.711 apply to all medical services and treatments rendered after August 31, 2018.

§ 725.708 How are payments for professional medical services and medical equipment determined?

(a)(1) OWCP pays for professional medical services based on a fee schedule derived from the schedule maintained by the Centers for Medicare & Medicaid Services (CMS) for the payment of such services under the Medicare program (42 CFR part 414). The schedule OWCP utilizes consists of: An assignment of Relative Value Units (RVU) to procedures identified by Healthcare Common Procedure Coding System/Current Procedural Terminology (HCPCS/CPT) code, which represents the work (relative time and intensity of the service), the practice expense and the malpractice expense, as compared to other procedures of the same general class; an assignment of Geographic Practice Cost Index (GPCI) values, which represent the relative work, practice expense and malpractice expense relative to other localities throughout the country; and a monetary value assignment (conversion factor) for one unit of value for each coded service.

(2) The maximum payment for professional medical services identified by a HCPCS/CPT code is calculated by multiplying the RVU values for the service by the GPCI values for such service in that area and multiplying the sum of these values by the conversion factor to arrive at a dollar amount assigned to one unit in that category of service.

(3) OWCP utilizes the RVUs published, and updated or revised from time to time, by CMS for all services for which CMS has made assignments. Where there are no RVUs assigned, OWCP may develop and assign any RVUs that OWCP considers appropriate. OWCP utilizes the GPCI for the locality as defined by CMS and as updated or revised by CMS from time to time. OWCP will devise conversion factors for professional medical services using OWCP's processing experience and internal data.

(b) Where a professional medical service is not covered by the fee schedule described in paragraph (a) of this section, OWCP may pay for the service based on other fee schedules or pricing formulas utilized by OWCP for professional medical services.

(c) Paragraphs (a) and (b) of this section apply to professional medical services rendered after November 30, 2019.

(d) OWCP pays for medical equipment identified by a HCPCS/CPT code based on fee schedules or other pricing formulas utilized by OWCP for such equipment.

§ 725.709 How are payments for prescription drugs determined?

(a)(1) OWCP pays for drugs prescribed by physicians by multiplying a percentage of the average wholesale price, or other baseline price as specified by OWCP, of the medication by the quantity or amount provided, plus a dispensing fee.

(2) All prescription medications identified by National Drug Code are assigned an average wholesale price representing the product's nationally recognized wholesale price as determined by surveys of manufacturers and wholesalers, or another baseline price designated by OWCP.

(3) OWCP may establish the dispensing fee.

(b) If the pricing formula described in paragraph (a) of this section is inapplicable, OWCP may make payment based on other pricing formulas utilized by OWCP for prescription medications.

(c) OWCP may, in its discretion, contract for or require the use of specific providers for certain medications. OWCP also may require the use of generic equivalents of prescribed medications where they are available.

§ 725.710 How are payments for outpatient medical services determined?

(a)(1) Except as provided in paragraphs (b) and (c) of this section, OWCP pays for outpatient medical services according to Ambulatory Payment Classifications (APCs) derived from the Outpatient Prospective Payment System (OPPS) devised by the Centers for Medicare & Medicaid Services (CMS) for the Medicare program (42 CFR part 419).

(2) For outpatient medical services paid under the OPPS, such services are assigned according to the APC prescribed by CMS for that service. Each payment is derived by multiplying the prospectively established scaled relative weight for the service's clinical APC by a conversion factor to arrive at a national unadjusted payment rate for the APC. The labor portion of the national unadjusted payment rate is further adjusted by the hospital wage index for the area where payment is being made. Additional adjustments are also made as required or needed.

(b) If a compensable service cannot be assigned or paid at the prevailing community rate under the OPPS or occurs at a facility excluded from the Medicare OPPS, OWCP may pay for the service based on fee schedules or other pricing formulas utilized by OWCP for outpatient services.

(c) This section does not apply to services provided by ambulatory surgical centers.

(d) This section applies to outpatient medical services rendered after November 30, 2019.

§ 725.711 How are payments for inpatient medical services determined?

(a)(1) OWCP pays for inpatient medical services according to predetermined rates derived from the Medicare Inpatient Prospective Payment System (IPPS) used by the Centers for Medicare & Medicaid Services (CMS) for the Medicare program (42 CFR part 412).

(2) Inpatient hospital discharges are classified into diagnosis-related groups (DRGs). Each DRG groups together clinically similar conditions that require comparable amounts of inpatient resources. For each DRG, an appropriate weighting factor is assigned that reflects the estimated relative cost of hospital resources used with respect to discharges classified within that group compared to discharges classified within other groups.

(3) For each hospital discharge classified within a DRG, a payment amount for that discharge is determined by using the national weighting factor determined for that DRG, national standardized adjustments, and other factors which may vary by hospital, such as an adjustment for area wage levels. OWCP may also use other price adjustment factors as appropriate based on its processing experience and internal data.

(b) If an inpatient service cannot be classified by DRG, occurs at a facility excluded from the Medicare IPPS, or otherwise cannot be paid at the prevailing community rate under the pricing formula described in paragraph (a) of this section, OWCP may pay for the service based on fee schedules or other pricing formulas utilized by OWCP for inpatient services.

§ 725.712 When and how are fees reduced?

(a) A provider's designation of the code used to identify a billed service or treatment will be accepted if the code is consistent with the medical and other evidence, and the provider will be paid no more than the maximum allowable fee for that service or treatment. If the code is not consistent with the medical evidence or where no code is supplied, the bill will be returned to the provider for correction and resubmission or denied.

(b) If the charge submitted for a service or treatment supplied to a miner exceeds the maximum amount determined to be reasonable under this subpart, OWCP must pay the amount allowed by §§ 725.707–725.711 for that service and notify the provider in writing that payment was reduced for that service in accordance with those provisions.

(c) A provider or other party who disagrees with a fee determination may seek review of that determination as provided in this subpart (*see* § 725.718).

§ 725.713 If a fee is reduced, may a provider bill the claimant for the balance?

Where a provider submits a bill to OWCP and OWCP has reduced the provider's fee, the miner is not responsible for any additional payment for services or treatments covered under this subpart. Thus, a provider whose fee for service is partially paid by OWCP as a result of the application of the provisions of §§ 725.707–725.711 or otherwise in accordance with this subpart may not request reimbursement from the miner for additional amounts.

§ 725.714 How do providers enroll with OWCP for authorizations and billing?

(a) All non-pharmacy providers seeking payment from the fund must enroll with OWCP or its designated bill processing agent to have access to the automated authorization system and to submit medical bills to OWCP.

(b) To enroll, the non-pharmacy provider must complete and submit a Form OWCP–1168 to the appropriate location noted on that form. By completing and submitting this form, providers certify that they satisfy all applicable Federal and State licensure and regulatory requirements that apply to their specific provider or supplier type.

(c) The non-pharmacy provider must maintain documentary evidence indicating that it satisfies those requirements.

(d) The non-pharmacy provider must also notify OWCP immediately if any information provided to OWCP in the enrollment process changes.

(e) All pharmacy providers must obtain a National Council for Prescription Drug Programs number. Upon obtaining such number, they are automatically enrolled in OWCP's pharmacy billing system.

(f) After enrollment, a provider must submit all medical bills to OWCP through its bill processing portal or to the OWCP address specified for such purpose and must include the Provider Number/ID obtained through enrollment, or its National Provider Number (NPI) or any other identifying numbers required by OWCP.

§ 725.715 How do providers submit medical bills?

(a) A provider must itemize charges on Form OWCP–1500 or CMS–1500 (for professional services, equipment or drugs dispensed in the office), Form OWCP–04 or UB–04 (for hospitals), an electronic or paper-based bill that includes required data elements (for pharmacies) or other form as designated by OWCP, and submit the form promptly to OWCP.

(b) The provider must identify each medical service performed using the Current Procedural Terminology (CPT) code, the Healthcare Common Procedure Coding System (HCPCS) code, the National Drug Code (NDC) number, or the Revenue Center Code (RCC), as appropriate to the type of service. OWCP has discretion to determine which of these codes may be utilized in the billing process. OWCP also has the authority to create and supply codes for specific services or treatments. These OWCP-created codes will be issued to providers by OWCP as appropriate and may only be used as authorized by OWCP. A provider may not use an OWCP-created code for other types of medical examinations, services or treatments.

(1) For professional medical services, the provider must list each diagnosed condition in order of priority and furnish the corresponding diagnostic code using the ''International Classification of Disease, 10th Edition, Clinical Modification'' (ICD–10–CM), or as revised.

(2) For prescription drugs or supplies, the provider must include the NDC assigned to the product, and such other information as OWCP may require.

(3) For outpatient medical services, the provider must use HCPCS codes and other coding schemes in accordance with the Outpatient Prospective Payment System.

(4) For inpatient medical services, the provider must include admission and discharge summaries and an itemized statement of the charges.

(c)(1) By submitting a bill or accepting payment, the provider signifies that the service for which reimbursement is sought was performed as described, necessary, appropriate, and properly billed in accordance with accepted industry standards. For example, accepted industry standards preclude upcoding billed services for extended medical appointments when the miner actually had a brief routine appointment, or charging for the services of a professional when a paraprofessional or aide performed the service; industry standards prohibit unbundling services to charge separately for services that should be billed as a single charge.

(2) The provider agrees to comply with all regulations set forth in this subpart concerning the provision of medical services or treatments and/or the process for seeking reimbursement for medical services and treatments,

including the limitation imposed on the amount to be paid.

§ 725.716 How should a miner prepare and submit requests for reimbursement for covered medical expenses and transportation costs?

(a) If a miner has paid bills for a medical service or treatment covered under § 725.701 and seeks reimbursement for those expenses, he or she may submit a request for reimbursement on Form OWCP–915, together with an itemized bill. The reimbursement request must be accompanied by evidence that the provider received payment for the service from the miner and a statement of the amount paid. Acceptable evidence that payment was received includes, but is not limited to, a copy of the miner's canceled check (both front and back) or a copy of the miner's credit card receipt.

(b) OWCP may waive the requirements of paragraph (a) of this section if extensive delays in the filing or the adjudication of a claim make it unusually difficult for the miner to obtain the required information.

(c) Reimbursements for covered medical services paid by a miner generally will be no greater than the maximum allowable charge for such service as determined under §§ 725.707–725.711.

(d) A miner will be only partially reimbursed for a covered medical service if the amount he or she paid to a provider for the service exceeds the maximum charge allowable. If this happens, OWCP will advise the miner of the maximum allowable charge for the service in question and of his or her responsibility to ask the provider to refund to the miner, or credit to the miner's account, the amount he or she paid which exceeds the maximum allowable charge.

(e) If the provider does not refund to the miner or credit to his or her account the amount of money paid in excess of the charge allowed by OWCP, the miner should submit documentation to OWCP of the attempt to obtain such refund or credit. OWCP may make reasonable reimbursement to the miner after reviewing the facts and circumstances of the case.

(f) If a miner has paid transportation costs or other incidental expenses related to covered medical services under this part, the miner may submit a request for reimbursement on Form OWCP–957 or OWCP–915, together with proof of payment.

§ 725.717 What are the time limitations for requesting payment or reimbursement for covered medical services or treatments?

OWCP will pay providers and reimburse miners promptly for all bills received on an approved form and in a timely manner. However, absent good cause, no bill will be paid for expenses incurred if the bill is submitted more than one year beyond the end of the calendar year in which the expense was incurred or the service or supply was provided, or more than one year beyond the end of the calendar year in which the miner's eligibility for benefits is finally adjudicated, whichever is later. A provider may not request reimbursement from a miner for a bill denied by OWCP due to late submission of the bill by the provider.

§ 725.718 How are disputes concerning medical benefits resolved?

(a) If a dispute develops concerning medical services or treatments or their payment under this part, OWCP must attempt to informally resolve the dispute. OWCP may, on its own initiative or at the request of the responsible operator or its insurance carrier, order the claimant to submit to an examination by a physician selected by OWCP.

(b) If a dispute cannot be resolved informally, OWCP will refer the case to the Office of Administrative Law Judges for a hearing in accordance with this part. Any such hearing concerning authorization of medical services or treatments must be scheduled at the earliest possible time and must take precedence over all other hearing requests except for other requests under this section and as provided by § 727.405 of this subchapter (*see* § 725.4(d)). During the pendency of such adjudication, OWCP may order the payment of medical benefits prior to final adjudication under the same conditions applicable to benefits awarded under § 725.522.

(c) In the development or adjudication of a dispute over medical benefits, the adjudication officer is authorized to take whatever action may be necessary to protect the health of a totally disabled miner.

(d) Any interested medical provider may, if appropriate, be made a party to a dispute under this subpart.

§ 725.719 What is the objective of vocational rehabilitation?

The objective of vocational rehabilitation is the return of a miner who is totally disabled by pneumoconiosis to gainful employment commensurate with such miner's physical impairment. This objective may be achieved through a program of re-evaluation and redirection of the miner's abilities, or retraining in another occupation, and selective job placement assistance.

§ 725.720 How does a miner request vocational rehabilitation assistance?

Each miner who has been determined entitled to receive benefits under part C of title IV of the Act must be informed by OWCP of the availability and advisability of vocational rehabilitation services. If such miner chooses to avail himself or herself of vocational rehabilitation, his or her request will be processed and referred by OWCP vocational rehabilitation advisors pursuant to the provisions of §§ 702.501 through 702.508 of this chapter as is appropriate.

Dated: June 5, 2018.

Julia K. Hearthway,

Director, Office of Workers' Compensation Programs.

[FR Doc. 2018–12418 Filed 6–13–18; 8:45 am]

BILLING CODE 4510–CR–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 866

[Docket No. FDA–2018–N–1928]

Medical Devices; Immunology and Microbiology Devices; Classification of the Brain Trauma Assessment Test

AGENCY: Food and Drug Administration, HHS.

ACTION: Final order.

SUMMARY: The Food and Drug Administration (FDA or we) is classifying the brain trauma assessment test into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for the brain trauma assessment test's classification. We are taking this action because we have determined that classifying the device into class II (special controls) will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective June 14, 2018. The classification was applicable on February 14, 2018.

FOR FURTHER INFORMATION CONTACT: Erin Cutts, Center for Devices and Radiological Health, Food and Drug

Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5618, Silver Spring, MD 20993–0002, 301–796–6307, *erin.cutts@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the brain trauma assessment test as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act. Section 207 of the Food and Drug Administration Modernization Act of 1997 established the first procedure for De Novo classification (Pub. L. 105–115). Section 607 of the Food and Drug Administration Safety and Innovation Act modified the De Novo application process by adding a second procedure (Pub. L. 112–144). A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA shall classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see 21 U.S.C. 360c(f)(2)(B)(i)). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application in order to market a substantially equivalent device (see 21 U.S.C. 360c(i), defining ''substantial equivalence''). Instead, sponsors can use the less burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On August 28, 2017, Banyan Biomarkers, Inc., submitted a request for De Novo classification of the Banyan BTI. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see 21 U.S.C. 360c(a)(1)(B)). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on February 14, 2018, FDA issued an order to the requester classifying the device into class II. FDA is codifying the classification of the device by adding 21 CFR 866.5830. We have named the generic type of device brain trauma assessment test, and it is identified as a device that consists of reagents used to detect and measure brain injury biomarkers in human specimens. The measurements aid in the evaluation of patients with suspected mild traumatic brain injury in conjunction with other clinical information to assist in determining the need for head imaging per current standard of care.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—BRAIN TRAUMA ASSESSMENT TEST RISKS AND MITIGATION MEASURES

Identified risks	Mitigation measures
Inaccurate test results that provide false positive or false negative results.	General controls and special control (1) (21 CFR 866.5830(b)(1)).
Failure to correctly interpret test results can lead to false positive or false negative results.	General controls and special control (2) (21 CFR 866.5830(b)(2)).

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this order. This device is subject to

premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in the guidance document ''De Novo Classification Process (Evaluation of Automatic Class III Designation)'' have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval, have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions, have been approved under OMB control number 0910–0120; and the collections of information in 21 CFR parts 801 and 809, regarding labeling, have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 866

Biologics, Laboratories, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 866 is amended as follows:

PART 866—IMMUNOLOGY AND MICROBIOLOGY DEVICES

■ 1. The authority citation for part 866 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360*l*, 371.

■ 2. Add § 866.5830 to subpart F to read as follows:

§ 866.5830 Brain trauma assessment test.

(a) *Identification.* A brain trauma assessment test is a device that consists of reagents used to detect and measure brain injury biomarkers in human specimens. The measurements aid in the evaluation of patients with suspected mild traumatic brain injury in conjunction with other clinical information to assist in determining the need for head imaging per current standard of care.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) The 21 CFR 809.10(b) compliant labeling must include detailed descriptions of and results from performance testing conducted to evaluate precision, accuracy, linearity, analytical sensitivity, interference, and cross-reactivity. This information must include the following:

(i) Performance testing of device precision must, at minimum, use one unmodified clinical specimen from the intended use population with concentration of the brain injury biomarker(s) near the medical decision point. Contrived specimens that have been generated from pooling of multiple samples or spiking of purified analyte to cover the measuring range may be used, but the contrived samples must be prepared to mimic clinical specimens as closely as possible. This testing must evaluate repeatability and reproducibility using a protocol from an FDA-recognized standard.

(ii) Device performance data must be demonstrated through a clinical study and must include the following:

(A) Data demonstrating clinical validity including the clinical sensitivity and specificity, and positive and negative predictive value of the test in the intended use population of patients with suspected mild traumatic brain injury (*i.e.,* Glasgow Coma Score (GCS) of 13–15), or equivalent standard of care for determination of severity of traumatic brain injury (TBI).

(B) Study must be performed using the operators and in settings that are representative of the types of operators and settings for which the device is intended to be used.

(C) All eligible subjects must meet the well-defined study inclusion and exclusion criteria that define the intended use population. The prevalence of diseased or injured subjects in the study population must reflect the prevalence of the device's intended use population, or alternatively, statistical measures must be used to account for any bias due to enrichment of subpopulations of the intended use population.

(D) All eligible subjects must have undergone a head computerized tomography (CT) scan or other appropriate clinical diagnostic standard used to determine the presence of an intracranial lesion as part of standard of care and must also be evaluated by the subject device. All clinical diagnostic standards used in the clinical study must follow standard clinical practice in the United States.

(E) Relevant demographic variables and baseline characteristics including medical history and neurological history. In addition, head injury characteristics, neurological assessments, and physical evidence of trauma must be provided for each subject. This information includes but is not limited to the following: Time since head injury, time from head injury to CT scan, time from head injury to blood draw, GCS score or equivalent, experience of loss of consciousness, presence of confusion, episodes of vomiting, post-traumatic amnesia characteristics, presence of post-traumatic seizures, drug or alcohol intoxication, mechanism of injury, acute intracranial lesion type, neurosurgical lesion, and cranial fracture.

(F) Each CT scan or other imaging result must be independently evaluated in a blinded manner by at least two board-certified radiologists to determine whether it is positive or negative as defined by the presence or absence of acute intracranial lesions. This independent review must be conducted without access to test results of the device. Prior to conducting the review, the criteria and procedures to be followed for scoring the images must be established, including the mechanism for determining consensus.

(G) All the clinical samples must be tested with the subject device blinded to the TBI status and the neurological-lesion-status of the subject.

(H) Details on how missing values in data are handled must be provided.

(I) For banked clinical samples, details on storage conditions and storage period must be provided. In addition, a specimen stability study must be conducted for the duration of storage to demonstrate integrity of archived clinical samples. The samples evaluated in the assay test development must not be used to establish the clinical validity of the assays.

(iii) Performance testing of device analytical specificity must include the most commonly reported concomitant medications present in specimens from the intended use population. Additionally, potential cross-reacting endogenous analytes must be evaluated at the highest concentration reported in specimens from the intended use population.

(iv) Expected/reference values generated by testing a statistically appropriate number of samples from apparently healthy normal individuals.

(2) The 21 CFR 809.10(a) and (b) compliant labeling must include the following limitations:

(i) A limiting statement that this device is not intended to be used a stand-alone device but as an adjunct to other clinical information to aid in the evaluation of patients who are being considered for standard of care neuroimaging.

(ii) A limiting statement that reads ''A negative result is generally associated with the absence of acute intracranial lesions. An appropriate neuroimaging method is required for diagnosis of acute intracranial lesions.''

(iii) As applicable, a limiting statement that reads ''This device is for use by laboratory professionals in a clinical laboratory setting.''

Dated: June 8, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–12760 Filed 6–13–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 876

[Docket No. FDA–2018–N–1862]

Medical Devices; Gastroenterology-Urology Devices; Classification of the Endoscopic Electrosurgical Clip Cutting System

AGENCY: Food and Drug Administration, HHS.

ACTION: Final order.

SUMMARY: The Food and Drug Administration (FDA or we) is classifying the endoscopic electrosurgical clip cutting system into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for the endoscopic electrosurgical clip cutting system's classification. We are taking this action because we have determined that classifying the device into class II (special controls) will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices, in part by reducing regulatory burdens.

DATES: This order is effective June 14, 2018. The classification was applicable on December 22, 2017.

FOR FURTHER INFORMATION CONTACT: Purva Pandya, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. G223, Silver Spring, MD 20993–0002, 240–402–9979, *Purva.Pandya@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the endoscopic electrosurgical clip cutting system as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act to a predicate device that does not require premarket approval (see 21 U.S.C. 360c(i)). We determine whether a new device is substantially equivalent to a predicate by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807), respectively).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act. Section 207 of the Food and Drug Administration Modernization Act of 1997 established the first procedure for De Novo classification (Pub. L. 105–115). Section 607 of the Food and Drug Administration Safety and Innovation Act modified the De Novo application process by adding a second procedure (Pub. L. 112–144). A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA shall classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically within class III, the De Novo classification is considered to be the initial classification of the device.

We believe this De Novo classification will enhance patients' access to beneficial innovation, in part by reducing regulatory burdens. When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s. As a result, other device sponsors do not have to submit a De Novo request or PMA in order to market a substantially equivalent device (see 21 U.S.C. 360c(i), defining ''substantial equivalence''). Instead, sponsors can use the less-burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On April 11, 2016, Ovesco Endoscopy AG submitted a request for De Novo classification of the remOVE System. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see 21 U.S.C. 360c(a)(1)(B)). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on December 22, 2017, FDA issued an order to the requester classifying the device into class II. FDA is codifying the classification of the device by adding 21 CFR 876.4310. We have named the generic type of device endoscopic electrosurgical clip cutting system, and it is identified as a prescription device that applies electrical energy to fragment metallic clips, which are devices placed in the digestive tract to close gastrointestinal perforations, hemorrhages, or perform resection. The system includes instruments that are then used to remove the fragmented clips from the digestive tract.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—ENDOSCOPIC ELECTROSURGICAL CLIP CUTTING SYSTEM RISKS AND MITIGATION MEASURES

Identified risks	Mitigation measures
Unintended tissue damage (burns, perforations, bleeding)	Animal performance testing, Non-clinical performance testing, Electrical and thermal safety testing, Usability testing, and Labeling.
Electromagnetic interference/Electrical shock	Electromagnetic compatibility testing, Electrical safety testing, and Labeling.
Adverse tissue reaction	Biocompatibility evaluation.
Infection	Sterilization validation, Shelf life testing, and Labeling.

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. In order for a device to fall within this classification, and thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this order. We encourage sponsors to consult with us if they wish to use a non-animal testing method they believe is suitable, adequate, validated, and feasible. We will consider if such an alternative method could be assessed for equivalency to an animal test method. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

At the time of classification, endoscopic electrosurgical clip cutting systems are for prescription use only. Prescription devices are exempt from the requirement for adequate directions for use for the layperson under section 502(f)(1) of the FD&C Act and 21 CFR 801.5, as long as the conditions of 21 CFR 801.109 are met (referring to 21 U.S.C. 352(f)(1)).

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in the guidance document ''De Novo Classification Process (Evaluation of Automatic Class III Designation)'' have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval, have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions, have been approved under OMB control number 0910–0120; and the collections of information in 21 CFR part 801, regarding labeling, have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 876

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 876 is amended as follows:

PART 876—GASTROENTEROLOGY–UROLOGY DEVICES

■ 1. The authority citation for part 876 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 876.4310 to subpart E to read as follows:

§ 876.4310 Endoscopic electrosurgical clip cutting system.

(a) *Identification.* An endoscopic electrosurgical clip cutting system is a prescription device that applies electrical energy to fragment metallic clips, which are devices placed in the digestive tract to close gastrointestinal perforations, hemorrhages, or perform resection. The system includes instruments that are then used to remove the fragmented clips from the digestive tract.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) Non-clinical performance testing must demonstrate that the device performs as intended under anticipated conditions of use. The following performance characteristics must be tested:

(i) Performance bench testing to evaluate the functionality (including stress, compatibility, usability, and reliability) of the device during use;

(ii) Electrical and thermal safety testing; and

(iii) Electromagnetic compatibility testing.

(2) Animal testing must evaluate tissue damage, including thermal effects, during the clip removal procedure. This testing must also evaluate usability and effectiveness of the device.

(3) The patient-contacting components of the device must be demonstrated to be biocompatible.

(4) Performance data must demonstrate the sterility of the device components intended to be provided sterile.

(5) Performance data must support shelf life by demonstrating continued sterility of the device (or the sterile components), package integrity, and device functionality over the labeled shelf life.

(6) Labeling of the device must include:

(i) Instructions for use, and

(ii) A shelf life for single use components.

Dated: June 8, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–12794 Filed 6–13–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 149

[Docket ID: DOD–2017–OS–0050]

RIN 0790–AJ59

Policy on Technical Surveillance Countermeasures

AGENCY: Under Secretary of Defense for Intelligence, DoD.

ACTION: Final rule.

SUMMARY: This final rule removes DoD's regulation concerning the Technical Surveillance Countermeasures (TSCM) Program. DoD originally determined that rulemaking was required based on the portion of this part that speaks to providing assistance to non-DoD agencies. However, this part places no burden on other agencies. The description of the relationship with other agencies is in accordance with federal law, and this part is unnecessary. Therefore, this part can be removed from the CFR.

DATES: This rule is effective on June 14, 2018.

FOR FURTHER INFORMATION CONTACT: Richard Davison, 703–697–4850.

SUPPLEMENTARY INFORMATION: It has been determined that publication of this CFR part removal for public comment is impracticable, unnecessary, and contrary to public interest since it is based on removing DoD internal policies and procedures that are publically available on the Department's issuance website.

This part contains internal DoD requirements and thus, does not fiscally impact parties outside of DoD. DoD's internal DoD Instruction 5240.05, ''Technical Surveillance Countermeasures (TSCM),'' remains in effect exclusively for the management of TSCM in DoD and is available at *http://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/524005_2014.pdf.*

This rule is not significant under Executive Order (E.O.) 12866, ''Regulatory Planning and Review,'' therefore, E.O. 13771, ''Reducing Regulation and Controlling Regulatory Costs'' does not apply.

List of Subjects in 32 CFR Part 149

Classified information, Investigations.

PART 149—[REMOVED]

■ Accordingly, by the authority of 5 U.S.C. 301, 32 CFR part 149 is removed.

Dated: June 11, 2018.

Shelly E. Finke,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018–12778 Filed 6–13–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–0438]

Drawbridge Operation Regulation; Newark Bay, Newark, NJ

AGENCY: Coast Guard, DHS.

ACTION: Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Lehigh Valley Bridge across the Newark Bay, mile 4.3, at Newark, New Jersey. This temporary deviation is necessary to allow the bridge to remain in the closed-to-navigation position to facilitate repairs.

DATES: This deviation is effective from 6 a.m. on July 15, 2018, to 6 p.m. on August 6, 2018.

ADDRESSES: The docket for this deviation, USCG–2018–0438 is available at *http://www.regulations.gov.* Type the docket number in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Judy Leung-Yee, Bridge Management Specialist, First District Bridge Branch, U.S. Coast Guard, telephone 212–514–4336, email *Judy.K.Leung-Yee@uscg.mil.*

SUPPLEMENTARY INFORMATION: Consolidated Rail Corporation, the owner of the bridge, requested a temporary deviation from the normal operating schedule to facilitate A-Frame sheave bearing repairs. The Lehigh Valley Bridge across the Newark Bay, mile 4.3, at Newark, New Jersey is a lift bridge with a vertical clearance in the closed position of 35 feet at mean high water and 39 feet at mean low water. The existing bridge operating regulations are listed at 33 CFR 117.5 and 117.735.

Under this temporary deviation, the Lehigh Valley Bridge shall remain in the closed position from 6 a.m. on July 15, 2018, to 6 p.m. on July 16, 2018. Should inclement weather occur, the following rain dates may be used: (1) From 6 a.m. on July 22, 2018, to 6 p.m. on July 23, 2018; (2) from 6 a.m. on July 29, 2018, to 6 p.m. on July 30, 2018; or (3) from 6 a.m. on August 5, 2018, to 6 p.m. on August 6, 2018.

The waterway users are seasonal recreational boaters and commercial vessels of various sizes. Coordination with waterway users indicated no objections to this temporary deviation. Vessels able to pass under the bridge in the closed position may do so at any time. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass.

The Coast Guard will inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: June 11, 2018.

C.J. Bisignano,

Supervisory Bridge Management Specialist, First Coast Guard District.

[FR Doc. 2018–12774 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0526]

RIN 1625–AA00

Safety Zone, Festival of the Fish, Vermillion River, Vermillion, OH

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a 420-foot radius of the launch site located near the mouth of the Vermilion River, Vermilion, OH. This safety zone is

intended to restrict vessels from a portion of Lake Erie and the Vermilion River during the Festival of the Fish fireworks display. This temporary safety zone is necessary to protect mariners and vessels from the potential hazards associated with a fireworks display. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Sector Buffalo.

DATES: This rule is effective from 9:45 p.m. through 10:45 p.m. on June 15, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2018–0526 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email LT Ryan Junod, Chief of Waterways Management, U.S. Coast Guard Marine Safety Unit Cleveland; telephone 216–937–0124, email *Ryan.S.Junod@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary 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.'' On April 19, 2018, the Captain of the Port (COTP) Buffalo published a notice of proposed rulemaking (NPRM), Docket Number USCG–2017–1112, to make temporary safety zones for annual events a final rule. This event was included in the NPRM. Its purpose was to mitigate potential threats to personnel, vessels, and the marine environment in the navigable waters within the specified safety zones. The NPRM addressed these concerns, and invited the public to comment during the comment period, which ended on May 21, 2018. As such, it is unnecessary to publish an NPRM for this temporary rule because the public had opportunity to comment on it and no comments were received concerning this event.

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** because doing so would be impracticable and contrary to the public interest. This safety zone will be included in a final rule, Docket Number USCG–2017–1112, which is awaiting publication. Delaying the effective date would be contrary to the rule's objectives of ensuring safety of life on the navigable waters and protection of persons and vessels in vicinity of the fireworks display.

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 Buffalo (COTP) has determined that a fireworks display presents significant risks to the public safety and property. Such hazards include premature and accidental detonations, dangerous projectiles, and falling or burning debris. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the fireworks display takes place.

IV. Discussion of the Rule

This rule establishes a safety zone on June 15, 2018, from 9:45 p.m. until 10:45 p.m. The safety zone will encompass all waters of the Vermillion River, Vermillion, OH contained within a 420-foot radius of: 41°25′45″ N, 082°21′54″ W.

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative. The Captain of the Port or his designated on-scene representative may be contacted via VHF Channel 16.

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 conclusion that this rule is not a significant regulatory action. We anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced for a relatively short time. Also, the safety zone has been designed to allow vessels to transit around it. Thus, restrictions on vessel movement within that particular area are expected to be minimal. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain of the Port.

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 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under 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 determined 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 establishes a temporary safety zone. 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.T09–0526 to read as follows:

§ 165.T09–0526 Safety Zone; Festival of the Fish; Vermillion River, Vermillion, OH.

(a) *Location.* This zone will encompass all U.S waterways within a 420-foot radius of the fireworks launch site located at position 41°25′45″ N, 082°21′54″ W, Vermilion, OH (NAD 83).

(b) *Effective and enforcement period.* This regulation is effective and will be enforced on June 15, 2018 from 9:45 p.m. until 10:45 p.m.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Buffalo or his designated on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port Buffalo is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Buffalo to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone shall contact the Captain of the Port Buffalo or his on-scene representative to obtain permission to do so. The Captain of the Port Buffalo or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Buffalo, or his on-scene representative.

Dated: June 11, 2018.

Kenneth E. Blair,

Commander, U.S. Coast Guard, Acting Captain of the Port Buffalo.

[FR Doc. 2018–12804 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2018–0550]

Safety Zones; Annual Events in the Captain of the Port Detroit Zone

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce various safety zones for annual marine events in the Captain of the Port Detroit zone from 9 p.m. on June 23, 2018 through 11 p.m. on July 5, 2018. Enforcement of these zones is necessary and intended to ensure safety of life on the navigable waters immediately prior to, during, and immediately after these fireworks events. During the aforementioned period, the Coast Guard will enforce restrictions upon, and control movement of, vessels in a specified area immediately prior to, during, and immediately after fireworks events. During each enforcement period, no person or vessel may enter the respective safety zone without

permission of the Captain of the Port or his designated representative.

DATES: The regulations in 33 CFR 165.941 will be enforced at various dates and times between 9 p.m. on June 23, 2018 through 11 p.m. on July 5, 2018.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call or email Ryan Erpelding, Prevention, Marine Safety Unit Toledo, Coast Guard; telephone (419) 418–6037, or email *Ryan.G.Erpelding@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the safety zones listed in 33 CFR 165.941, Safety Zones; Annual Events in the Captain of the Port Detroit Zone, at the following dates and times for the following events:

(1) *Washington Township Summerfest Fireworks, Toledo, OH.* The safety zone listed in § 165.941(a)(2), will be enforced from 9 p.m. to 11 p.m. on June 23, 2018. In the case of inclement weather on June 23, 2018, this safety zone will be enforced from 9 p.m. to 11 p.m. on June 24, 2018.

(2) *Put-In-Bay Fourth of July Fireworks, Put-In-Bay, OH.* The safety zone listed in § 165.941(a)(5) will be enforced from 9 p.m. to 11 p.m. on July 4, 2018. In the case of inclement weather on July 4, 2018, this safety zone will be enforced from 9 p.m. to 11 p.m. on July 5, 2018.

Under the provisions of § 165.23, entry into, transiting, or anchoring within these safety zones during the enforcement period is prohibited unless authorized by the Captain of the Port Detroit or his designated representative. Vessels that wish to transit through the safety zones may request permission from the Captain of the Port Detroit or his designated representative. Requests must be made in advance and approved by the Captain of Port before transits will be authorized. Approvals will be granted on a case by case basis. The Captain of the Port may be contacted via U.S. Coast Guard Sector Detroit on channel 16, VHF–FM or by calling (313) 568–9564. The Coast Guard will give notice to the public via Local Notice to Mariners and VHF radio broadcasts that the regulation is in effect.

This document is issued under authority of § 165.941 and 5 U.S.C. 552(a). If the Captain of the Port determines that any of these safety zones need not be enforced for the full duration stated in this document, he may suspend such enforcement and notify the public of the suspension via a Broadcast Notice to Mariners.

Dated: June 6, 2018.

Jeffrey W. Novak,

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

[FR Doc. 2018–12757 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0528]

RIN 1625–AA00

Safety Zone; Hope Chest Buffalo Niagara Dragon Boat Festival, Buffalo River, Buffalo, NY

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters on the Buffalo River, Buffalo, NY. This safety zone is intended to restrict vessels from portions of the Buffalo River during the Hope Chest Buffalo Niagara Dragon Boat Festival. This temporary safety zone is necessary to protect mariners and vessels from the navigational hazards associated with this event. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Buffalo.

DATES: This rule is effective from 8:00 a.m. until 5:30 p.m. on June 16, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2018–0528 in the ''SEARCH'' box and click ''SEARCH.'' Click on Open Docket Folder on the line associated with this rule.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email LT Michael Collet, Chief Waterways Management Division, U.S. Coast Guard; telephone 716–843–9322, email *D09–SMB–SECBuffalo-WWM@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary 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 find that those procedures are ''impracticable, unnecessary, or contrary to public interest.'' On April 19, 2018, the Captain of the Port (COTP) Buffalo published a notice of proposed rulemaking (NPRM), Docket Number USCG–2017–1112, to make temporary safety zones for annual events a final rule. This event was included in the NPRM. Its purpose was to mitigate potential threats to personnel, vessels, and the marine environment in the navigable waters within the specified safety zones. The NPRM addressed these concerns, and invited the public to comment during the comment period, which ended on May 21, 2018. As such, it is unnecessary to publish an NPRM for this temporary rule because the public had opportunity to comment on it and no comments were received concerning this event.

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**. The Coast Guard intends to establish a permanent safety zone in the future under Docket Number USCG–2017–1112. Delaying the effective date would be contrary to the rule's objectives of ensuring safety of life on the navigable waters and protection of persons and vessels in the vicinity of the planned 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 Buffalo (COTP) has determined the Hope Chest Buffalo Niagara Dragon Boat Festival presents significant risks to the public safety and property. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the event takes place.

IV. Discussion of the Rule

This rule establishes a safety zone on June 16, 2018, from 8:00 a.m. until 5:30 p.m. The safety zone will encompass all waters of the Buffalo River, Buffalo, NY starting at position 42°52′12.60″ N, 078°52′17.0″ W then Southeast to 42°52′03.0″ N, 078°52′12.0″ W then East

to 42°52′03.0″ N, 078°52′10.0″ W then Northwest to 42°52′13.0″ N, 078°52′16.0″ W then returning to the point of origin.

Entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative. The Captain of the Port or his designated on-scene representative may be contacted via VHF Channel 16.

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 conclusion that this rule is not a significant regulatory action. We anticipate that it will have minimal impact on the economy, will not interfere with other agencies, will not adversely alter the budget of any grant or loan recipients, and will not raise any novel legal or policy issues. The safety zone created by this rule will be relatively small and enforced for a relatively short time. Also, the safety zone has been designed to allow vessels to transit around it. Thus, restrictions on vessel movement within that particular area are expected to be minimal. Under certain conditions, moreover, vessels may still transit through the safety zone when permitted by the Captain of the Port.

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 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under 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 determined 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 establishes a temporary safety zone. 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.T09–0528 to read as follows:

§ 165.T09–0528 Safety Zone; Hope Chest Buffalo Niagara Dragon Boat Festival, Buffalo River, Buffalo, NY.

(a) *Location.* The safety zone will encompass all waters of the Buffalo River, Buffalo, NY starting at position 42°52′12.60″ N, 078°52′17.0″ W then Southeast to 42°52′03.0″ N, 078°52′12.0″ W then East to 42°52′03.0″ N, 078°52′10.0″ W then Northwest to 42°52′13.0″ N, 078°52′16.0″ W then returning to the point of origin.

(b) *Enforcement period.* This regulation will be enforced from 8:00 a.m. until 5:30 p.m. on June 16, 2018.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Buffalo or his designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the Captain of the Port Buffalo or his designated on-scene representative.

(3) The ''on-scene representative'' of the Captain of the Port Buffalo is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port Buffalo to act on his behalf.

(4) Vessel operators desiring to enter or operate within the safety zone must contact the Captain of the Port Buffalo or his on-scene representative to obtain permission to do so. The Captain of the Port Buffalo or his on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the Captain of the Port Buffalo, or his on-scene representative.

Dated: June 8, 2018.

Kenneth E. Blair,

Commander, U.S. Coast Guard, Acting Captain of the Port Buffalo.

[FR Doc. 2018–12763 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2018–0511]

RIN 1625–AA00

Safety Zone; Grosse Ile Yacht Club Fireworks, Detroit River, Grosse Ile, MI

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters within a 280-foot radius of a portion of the Detroit River, Grosse Ile, MI. This zone is necessary to protect spectators and vessels from potential hazards associated with the Grosse Ile Fireworks.

DATES: This temporary final rule is effective from 10 p.m. on June 30, 2018 through 11 p.m. on July 1, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2018–0511 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 temporary rule, call or email Tracy Girard, Prevention Department, Sector Detroit, Coast Guard; telephone 313–568–9564, or email *Tracy.M.Girard@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Detroit
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking
§ Section
U.S.C. United States Code

II. Background Information and Regulatory History

The Coast Guard is issuing this temporary 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 doing so would be impracticable. The Coast Guard did not receive the final details of this fireworks display in time to publish an NPRM. As such, it is impracticable to publish an NPRM because we lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the 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 inhibit the Coast Guard's ability to protect participants, mariners and vessels from the hazards associated with this 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 Detroit (COTP) has determined that potential hazard associated with fireworks from 10 p.m. on June 30, 2018 through 11 p.m. on July 1, 2018 will be a safety concern to anyone within a 280-foot radius of the launch site. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while the fireworks are being displayed.

IV. Discussion of the Rule

This rule establishes a safety zone from 10 p.m. on June 30 through 11 p.m. on July 1, 2018. The safety zone will encompass all U.S. navigable waters of Detroit River, Grosse Ile, MI, within a 280-foot radius of position 42°05.390′ N, 083°09.065′ W (NAD 83). The safety zone will be enforced from 10 p.m. to 11 p.m. on June 30, 2018. In the case of inclement weather on June 30, 2018, this safety zone will be enforced from 10 p.m. to 11 p.m. on July 1, 2018. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a 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-year of the safety zone. Vessel traffic will be able to safely transit around this safety zone which will impact a small designated area of the Detroit River from 10 p.m. on June 30, 2018 through 11 p.m. on July 1, 2018. Moreover, the Coast Guard will issue Broadcast Notice to Mariners (BNM) via VHF–FM marine channel 16 about the zone and the rule allows vessels to seek permission to enter the 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 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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

C. Collection of Information

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

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under 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 determined 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 lasting one hour that will prohibit entry into a designated area. 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.T09–0511 to read as follows:

§ 165.T09–0511 Safety Zone; Grosse Ile Yacht Club Fireworks, Detroit River, Grosse Ile, MI.

(a) *Location.* A safety zone is established to include all U.S. navigable waters of the Detroit River, Grosse Ile, MI, within a 280-foot radius of position 42°05.390′ N, 082°09.065′ W (NAD 83).

(b) *Enforcement period.* The regulated area described in paragraph (a) of this section will be enforced from 10 p.m. through 11:30 p.m. on June 30, 2018. In the case of inclement weather on June 30, 2018, this safety zone will be enforced from 10 p.m. to 11 p.m. on July 1, 2018.

(c) *Regulations.* (1) No vessel or person may enter, transit through, or

anchor within the safety zone unless authorized by the Captain of the Port Detroit (COTP), or his on-scene representative.

(2) The safety zone is closed to all vessel traffic, except as may be permitted by the COTP or his on-scene representative.

(3) The ''on-scene representative'' of COTP is any Coast Guard commissioned, warrant or petty officer or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port Detroit to act on his behalf.

(4) Vessel operators shall contact the COTP or his on-scene representative to obtain permission to enter or operate within the safety zone. The COTP or his on-scene representative may be contacted via VHF Channel 16 or at (313) 568–9464. Vessel operators given permission to enter or operate in the regulated area must comply with all directions given to them by the COTP or his on-scene representative.

Dated: June 6, 2018.

Jeffrey W. Novak,

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

[FR Doc. 2018–12756 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2017–0565; FRL–9977–75]

Extract of Swinglea glutinosa; Exemption From the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for Extract of *Swinglea glutinosa* in or on all food commodities when used in accordance with label directions and good agricultural practices. Gowan Company LLC submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA) requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of Extract of *Swinglea glutinosa* under FFDCA.

DATES: This regulation is effective June 14, 2018. Objections and requests for hearings must be received on or before August 13, 2018, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2017–0565, is available at *http://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the OPP Docket is (703) 305–5805. Please review the visitor instructions and additional information about the docket available at *http://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Robert McNally, Biopesticides and Pollution Prevention Division (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *BPPDFRNotices@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 an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

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

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the Government Printing Office's e-CFR site at *http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2017–0565 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before August 13, 2018. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2017–0565, 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 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.*

II. Background

In the **Federal Register** of January 26, 2018 (83 FR 3658) (FRL–9971–46), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide tolerance petition (PP 6F8504) by Gowan Company LLC, P.O. Box 5569, Yuma, AZ 85366–5569. The petition requested that 40 CFR 180 be amended by establishing an exemption from the

requirement of a tolerance for residues of the biochemical fungicide Extract of *Swinglea glutinosa* in or on all food commodities. That document referenced a summary of the petition prepared by the petitioner, Gowan Company LLC, which is available in the docket via *http://www.regulations.gov.* There were no comments received in response to the notice of filing.

III. Final Rule

A. EPA's Safety Determination

Section 408(c)(2)(A)(i) of FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the exemption is ''safe.'' Section 408(c)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings but does not include occupational exposure. Pursuant to FFDCA section 408(c)(2)(B), in establishing or maintaining in effect an exemption from the requirement of a tolerance, EPA must take into account the factors set forth in FFDCA section 408(b)(2)(C), which require EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance or tolerance exemption and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue . . . .'' Additionally, FFDCA section 408(b)(2)(D) requires that EPA consider ''available information concerning the cumulative effects of [a particular pesticide's] . . . residues and other substances that have a common mechanism of toxicity.'' FFDCA section 408(b)(2)(C) provides that EPA shall apply an additional tenfold (10X) margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the database on toxicity and exposure unless EPA determines based on reliable data that a different margin of safety will be safe for infants and children. This additional margin of safety is commonly referred to as the FQPA Safety Factor (SF). In applying this provision, EPA either retains the default value of 10X, or uses a different additional safety factor when reliable data available to EPA support the choice of a different factor.

EPA evaluated the available toxicity and exposure data on Extract of *Swinglea glutinosa* and considered their validity, completeness, and reliability, as well as the relationship of this information to human risk. EPA also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children.

Extract of *Swinglea glutinosa* is extracted from the leaves of *Swinglea glutinosa.* Commonly known as Tabog, the plant is found in southeast Asian and South American countries and is also commercially cultivated for ornamental purposes. As a pesticidal active ingredient, Extract of *Swinglea glutinosa* is intended for use as a fungicide on growing crops and ornamentals in agricultural, greenhouse, turf, recreational, and commercial landscape use sites to control fungal diseases such as powdery mildew and sour rot. The antifungal mode of action (MOA) of Extract of *Swinglea glutinosa* is likely cell membrane disruption, attributable to the terpene constituents in the essential oil of the extract. This mode of action is similar to that observed in other essential oils that are considered biopesticides, such as tea tree oil, rosemary oil and thyme oil. The constituent compounds in Extract of *Swinglea glutinosa* are ubiquitous in fruits and vegetables and are regularly consumed by humans as part of a normal diet. The constituent compounds are also biodegradable; and the active ingredient is highly soluble in water and will degrade rapidly in aqueous environments.

Based on the data submitted in support of this petition and the dietary risk assessment conducted by the Agency, EPA concludes that there is a reasonable certainty of no harm from aggregate exposures to Extract of *Swinglea glutinosa,* including the consumption of food treated with this active ingredient in accordance with label directions and good agricultural practices. EPA has made this determination because available toxicology data indicate that the active ingredient is not acutely toxic, subchronically toxic, mutagenic, or developmentally toxic via repeat oral exposure. As such, the Agency has not identified any endpoints of concern for Extract of *Swinglea glutinosa* and has conducted a qualitative assessment of exposure. The Agency has also determined that residues Extract of *Swinglea glutinosa* in drinking water are not expected to be significant when products are used according to label instructions. The active ingredient is applied at low concentrations, is very soluble in water, and degrades rapidly in aqueous solutions. Non-occupational exposures are not expected since Extract of *Swinglea glutinosa* is only intended for commercial agricultural and landscaping use. A full explanation of the data upon which EPA relied and its dietary risk assessment based on those data can be found within the April 10, 2018, document entitled ''Federal Food, Drug, and Cosmetic Act (FFDCA) Considerations for Extract of Swinglea glutinosa.'' This document, as well as other relevant information, is available in the docket for this action as described under **ADDRESSES**.

Based upon its evaluation, EPA concludes that Extract of *Swinglea glutinosa* is not toxic. No toxic endpoints were established for oral toxicity, dermal toxicity or inhalation toxicity. Exposure to Extract of *Swinglea glutinosa* via pesticidal use is not expected to exceed any levels of concern. EPA also determined that retention of the Food Quality Protection Act (FQPA) safety factor was not necessary due to the lack of threshold effects.

Therefore, EPA concludes that there is a reasonable certainty that no harm will result to the U.S. population, including infants and children, from aggregate exposure to residues of Extract of *Swinglea glutinosa.* Therefore, EPA is establishing an exemption from the requirement of a tolerance for residues of Extract of *Swinglea glutinosa* when applied pre-harvest in accordance with label directions and good agricultural practices.

B. Analytical Enforcement Methodology

An analytical method is not required for enforcement purposes due to the lack of concern about safety for Extract of *Swinglea glutinosa* at any exposure level.

IV. Statutory and Executive Order Reviews

This action establishes a tolerance exemption under FFDCA section 408(d) in response to a petition submitted to EPA. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66

FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997); nor is it considered a regulatory action under Executive Order 13771, entitled ''Reducing Regulations and Controlling Regulatory Costs'' (82 FR 9339, February 3, 2017). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.,* nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance exemption in this action, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes. As a result, this action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, EPA has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the national government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, EPA has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000), do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require EPA's consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

V. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule 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**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 29, 2018.

Richard P. Keigwin, Jr.,

Director, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. Add § 180.1356 to subpart D to read as follows:

§ 180.1356 Extract of *Swinglea glutinosa*; exemption from the requirement of a tolerance.

Residues of the biochemical pesticide Extract of *Swinglea glutinosa* are exempt from the requirement of a tolerance in or on all food commodities when applied pre-harvest in accordance with label directions and good agricultural practices.

[FR Doc. 2018–12809 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 180209147–8509–02]

RIN 0648–BH76

Fisheries of the Northeastern United States; 2018–2020 Small-Mesh Multispecies Specifications

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

ACTION: Final rule.

SUMMARY: NMFS issues final 2018 and projected 2019–2020 specifications for the small-mesh multispecies fishery, and corrects an error from a previous action. The specifications are necessary to establish allowable catch limits for each stock within the fishery to control overfishing while allowing optimum yield, consistent with the Magnuson-Stevens Fishery Conservation and Management Act. The intent of this action is to inform the public of these specifications for the 2018 fishing year, projected specifications for 2019–2020, and the regulatory correction.

DATES: Effective June 14, 2018, through April 30, 2019.

ADDRESSES: Copies of these specifications, including the Environmental Assessment (EA), Regulatory Flexibility Act Analyses, and other supporting documents for the action, are available upon request from Thomas A. Nies, Executive Director, New England Fishery Management Council, Mid-Atlantic Fishery Management Council, 50 Water Street, Newburyport, MA 01950. These documents are also accessible via the internet at *www.nefmc.org.*

FOR FURTHER INFORMATION CONTACT: Cynthia Hanson, Fishery Management Specialist, (978) 281–9180.

SUPPLEMENTARY INFORMATION:

Background

The small-mesh multispecies fishery is managed by the New England Fishery Management Council within the Northeast Multispecies Fishery Management Plan (FMP). The fishery is composed of five stocks of three species of hakes: Northern silver hake; southern silver hake; northern red hake; southern red hake; and offshore hake. Southern silver hake and offshore hake are often grouped together and collectively referred to as ''southern whiting.'' Amendment 19 to the FMP (78 FR 20260; April 4, 2013) established a process and framework for setting catch specifications for the small-mesh fishery. The FMP requires the specification of an overfishing limit (OFL), acceptable biological catch (ABC), annual catch limit (ACL), and total allowable landings (TAL) for each stock within the fishery for up to three years at a time, based on the most recent stock projections for upcoming years. This action implements the Council's recommended small-mesh multispecies specifications for the 2018 fishing year, announces projected 2019 and 2020 specifications as recommended by the Council, and makes a minor regulatory correction.

The proposed rule for this action published in the **Federal Register** on April 12, 2018 (83 FR 15780), and comments were accepted through April 27, 2018. Additional background information regarding the development

of these specifications was provided in the proposed rule (83 FR 15780; April 12, 2018) and is not repeated here.

Final Specifications

This action implements the final 2018 and projected 2019–2020 small-mesh multispecies specifications as proposed (Table 1). All other management measures in the small-mesh multispecies fishery (such as possession limits) will remain unchanged. By providing projected quotas for 2019 and 2020, NMFS hopes to assist fishery participants in planning ahead. The Council will review these specifications annually, and NMFS will provide notice prior to each fishing year to announce any necessary changes for 2019 and 2020. For more information on the Council's recommendations and decision-making process, please see the proposed rule (83 FR 15780).

TABLE 1—SMALL-MESH MULTISPECIES SPECIFICATIONS FOR FISHING YEARS 2018–2020, WITH PERCENT CHANGE FROM 2017, IN METRIC TONS

	OFL	ABC	ACL	Percent change	TAL	Percent change
Northern Silver Hake	58,350	31,030	29,475	+27	26,604	+33
Northern Red Hake	840	721	685	+45	274	+128
Southern Whiting	31,180	19,395	18,425	−35	14,465	−39
Southern Red Hake	1,150	1,060	1,007	−38	305	−59

Regulatory Correction

This action also corrects regulatory text specifying the red hake possession limits in the southern small-mesh exemption areas (Southern New England and Mid-Atlantic Exemption Areas). In the 2015–2017 specifications for this fishery (May 28, 2015; 80 FR 30379), we implemented a new 3,000-lb (1,361-kg) red hake possession limit for the northern exemption areas, but we did not specify that the possession limit in the southern areas would remain 5,000 lb (2,268 kg). This action revises the regulations to specify the 5,000-lb (2,268-kg) possession limit for red hake harvested in the southern small-mesh exemption areas, as originally intended by the Council.

Comments and Responses

The public comment period for the proposed rule ended on April 27, 2018. We received three comments from the public on this rule. One commenter asked how the input of the active fishing community contributed to the development of these specifications. These specifications were developed through the Council process, which involved multiple discussions at public Council meetings (such as meetings on June 20, 2017, in Portland, ME; on September 26, 2017, in Gloucester, MA; and on December 7, 2017, in Newport, RI) where concerns and interests of the active fishing community were considered. Active members of the fishing community also sit on the Small-Mesh Multispecies (Whiting) Advisory Panel, which makes recommendations on management of the fishery to the Council and its Small-Mesh Multispecies Committee. The public comment period announced by the proposed rule was another opportunity for fishermen to offer suggestions and improvements to the specifications. The other two comments were not relevant either to this action or to fisheries in general and did not warrant a response. No changes to the proposed specifications were made as a result of these comments.

Changes From the Proposed Rule

There are no substantive changes from the proposed rule.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this final rule is consistent with the Small-Mesh Multispecies FMP, other provisions of the Magnuson-Stevens Act, and other applicable law.

This final rule does not duplicate, conflict, or overlap with any existing Federal rules.

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act.

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

The Assistant Administrator for Fisheries, NOAA, finds good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in the date of effectiveness for this rule, to ensure that the final specifications are in place as close as practicable to the start of the 2018 small-mesh multispecies fishing year, which began on May 1, 2018. This action establishes the final specifications (*i.e.,* annual catch limits) for the small-mesh multispecies fishery for the 2018 fishing year. A delay in effectiveness well beyond the start of the 2018 fishing year would be contrary to the public interest, as it could create confusion and potential economic harm to the commercial small-mesh multispecies industry. Additionally, it could compromise the effectiveness of the new specifications in achieving optimal yield and preventing overfishing.

This rule is being issued at the earliest possible date. Preparation of the proposed rule was dependent on the submission of the EA, in support of the specifications, that is developed by the Council. A complete specifications document and accompanying EA was received by NMFS in late January 2018. Documentation in support of the Council's recommended specifications is required for NMFS to provide the public with information from the environmental and economic analyses, as required in rulemaking, and to evaluate the consistency of the Council's recommendation with the Magnuson-Stevens Act and other applicable law. The proposed rule published on April 12, 2018, with a 15-day comment period ending April 27, 2018.

Although the specifications from 2017 are carried into 2018 until the new catch limits are implemented, the Council has recommended changes based on the most recent assessment of the four main small-mesh multispecies stocks that should be in place as soon as possible. Harvest occurring within the first weeks of the fishing year based on old catch limits could be detrimental to southern hake stocks, including southern red hake, which is experiencing overfishing.

Furthermore, this action increases the northern silver hake quota by 33 percent and increases northern red hake quota by 128 percent, providing federally permitted vessels additional harvest opportunity for the 2018 fishing year. The timely implementation of these specifications will help to ensure that the industry has the opportunity to achieve optimal yield in the fishery, and to access the increased quotas for the

northern stocks. It is also important to implement the lower southern stock catch limits as soon as possible to avoid the potential for overfishing. The commercial whiting industry has been involved in the development of these specifications and is anticipating this rule. Therefore, there would be no benefit to delaying the implementation of these specifications. For these reasons, we find that there is good cause to waive the 30-day delay in the date of effectiveness.

Final Regulatory Flexibility Analysis

The final regulatory flexibility analysis (FRFA) included in this final rule was prepared consistent with 5 U.S.C. 604(a), and incorporates the initial regulatory flexibility analysis (IRFA) and a summary of analyses completed to support the action. A public copy of the environmental assessment/IRFA is available from the Council (see **ADDRESSES**). The preamble to the proposed rule included a detailed summary of the analyses contained in the IRFA, and that discussion is not repeated here.

A Summary of the Significant Issues Raised by the Public in Response to the IRFA, a Summary of the Agency's Assessment of Such Issues, and a Statement of Any Changes Made in the Final Rule as a Result of Such Comments

NMFS did not receive any comments in response to the IRFA or regulatory flexibility analysis (RFA) process. Refer to the ''Comments and Responses'' section of this rule's preamble for more detail on the public comments that were received. No changes to the proposed rule were required to be made as a result of public comment.

Description and Estimate of Number of Small Entities to Which the Rule Would Apply

This final rule affects small entities engaged in commercial fishing operations within the small-mesh multispecies fishery that is a subset of the northeast multispecies fishery. For the purposes of the RFA analysis, the ownership entities (or firms), not the individual vessels, are considered to be the regulated entities. Because of this, some vessels with northeast multispecies permits may be considered to be part of the same firm because they may have the same owners. In terms of RFA, a business primarily engaged in commercial fishing activity is classified as a small business if it has combined annual gross receipts not in excess of $11 million (NAICS 11411) for all its affiliated operations worldwide. To identify these small and large firms, vessel ownership data from the permit database were grouped according to common owners and sorted by size. The current ownership data set used for this analysis is based on calendar year 2016 (the most recent complete year available) and contains average gross sales associated with those permits for calendar years 2014 through 2016.

The small-mesh exempted fishery allows vessels to harvest species in designated areas using mesh sizes smaller than the minimum mesh size required by Regulated Mesh Area (RMA) regulations. To participate in the small-mesh multispecies exempted fishery, vessels must possess either a limited access multispecies permit (categories A, C, D, E or F) or an open access multispecies permit (category K). Limited access multispecies permit holders can target small-mesh multispecies with different possession limit requirements depending on fishing region and mesh size used. Open access, Category K permit holders may fish for small-mesh multispecies when participating in an exempted fishing program. Therefore, entities holding one or more multispecies permits (permit type A, C–F, K) are the entities that have the potential to be directly impacted by this action. According to the commercial database, there were 853 distinct ownership entities, based on entities' participation during the 2014–2016 time-period, that could potentially target small-mesh multispecies. This includes entities that could not be classified into a business type because they did not earn revenue from landing and selling fish in 2014–2016 and thus are considered to be small. Of the 853 total firms, 844 are categorized as small business entities and nine are categorized as large businesses.

While 853 commercial entities have the potential to be impacted by the proposed action, not all of these entities actively land small-mesh multispecies for commercial sale. There are 406 distinct entities that commercially sold small-mesh multispecies from 2014–2016 and may be directly affected by the proposed action. Of those, 404 are categorized as small businesses.

Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

No additional reporting, recordkeeping, or other compliance requirements are included in this final rule.

Description of the Steps the Agency Has Taken To Minimize the Significant Economic Impact on Small Entities Consistent With the Stated Objectives of Applicable Statutes

Specification of commercial catch limits is constrained by the conservation objectives of in the FMP and implemented at 50 CFR part 648 under the Magnuson-Stevens Act. This action implements final 2018 and projected 2019–2020 commercial catch specifications for the small-mesh multispecies fishery based on the most recent stock assessment update. The Council also considered taking no action, where the same catch limits and specifications from 2017 would continue into 2018 with no change. Only these two alternatives were considered by the Council. The alternative status quo specifications do not address the overfishing and overfished designations raised by the 2017 stock assessment update, and thus do not meet the Magnuson-Stevens Act requirements. The specifications implemented by this final rule minimize the economic impacts on small entities to the extent practicable while adhering to the conservation requirements of the Magnuson-Stevens Act. As described in the proposed rule for this action, we do not anticipate these specifications to have a significant impact on those small entities to which this final rule would apply.

Small Entity Compliance Guide

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as ''small entity compliance guides.'' The agency shall explain the actions a small entity is required to take to comply with a rule or group of rules. As part of this rulemaking process, a letter to permit holders that also serves as small entity compliance guide was prepared and will be sent to all holders of Federal permits issued for the small-mesh multispecies fishery. In addition, copies of this final rule and guide (*i.e.,* permit holder letter) are available from NMFS at the following website: *www.greateratlantic.fisheries.noaa.gov.*

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: June 11, 2018.

Donna S. Wieting,

Acting 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. In § 648.86, revise the introductory text of paragraphs of (d)(1)(i), (ii), and (iii) and add paragraph (d)(1)(v) to read as follows:

§ 648.86 NE Multispecies possession restrictions.

* * * * *

(d) * * *

(1) * * *

(i) *Vessels possessing on board or using nets of mesh size smaller than 2.5 in (6.35 cm).* Owners or operators of a vessel may possess and land not more than 3,500 lb (1,588 kg) of combined silver hake and offshore hake, if either of the following conditions apply:

* * * * *

(ii) *Vessels possessing on board or using nets of mesh size equal to or greater than 2.5 in (6.35 cm) but less than 3 in (7.62 cm).* An owner or operator of a vessel that is not subject to the possession limit specified in paragraph (d)(1)(i) of this section may possess and land not more than 7,500 lb (3,402 kg) of combined silver hake and offshore hake if either of the following conditions apply:

* * * * *

(iii) *Vessels possessing on board or using nets of mesh size equal to or greater than 3 in (7.62 cm).* An owner or operator of a vessel that is not subject to the possession limits specified in paragraphs (d)(1)(i) and (ii) of this section may possess and land not more than 30,000 lb (13,608 kg) of combined silver hake and offshore hake when fishing in the GOM or GB Exemption Areas, as described in § 648.80(a), and not more than 40,000 lb (18,144 kg) of combined silver hake and offshore hake when fishing in the SNE or MA Exemption Areas, as described in § 648.80(b)(10) and (c)(5), respectively, if both of the following conditions apply:

* * * * *

(v) *Possession limits for red hake.* Vessels participating in the small-mesh multispecies fishery consistent with paragraph (d)(1) of this section, may possess and land not more than 3,000 lb (1,361 kg) of red hake when fishing in the GOM or GB Exemption areas, as described in § 648.80(a), and not more than 5,000 lb (2,268 kg) of red hake when fishing in the SNE or MA Exemption Areas, as described in § 648.80(b)(10) and (c)(5), respectively.

* * * * *

[FR Doc. 2018–12780 Filed 6–13–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 180202114–8513–02]

RIN 0648–BH60

Pacific Island Fisheries; 5-Year Extension of Moratorium on Harvest of Gold Corals

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

ACTION: Final rule.

SUMMARY: This final rule extends the region-wide moratorium on the harvest of gold corals in the U.S. Pacific Islands through June 30, 2023. NMFS intends this final rule to prevent overfishing and to stimulate research on gold corals.

DATES: This rule is effective July 16, 2018.

ADDRESSES: Background information on Pacific Island precious coral fisheries is found in the fishery ecosystem plans available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813, tel (808) 522–8220, fax (808) 522–8226, or *www.wpcouncil.org.*

FOR FURTHER INFORMATION CONTACT: Kate Taylor, NMFS PIR Sustainable Fisheries, (808)725–5182.

SUPPLEMENTARY INFORMATION: Precious corals (also called deep-sea corals) include black, pink, red, bamboo, and gold corals, and are harvested for use in high quality jewelry. NMFS and the Council manage the fishery for precious corals in the U.S. Pacific Islands under fishery ecosystem plans (FEP) for American Samoa, Hawaii, the Mariana Archipelago (Guam and the Northern Mariana Islands), and the Pacific Remote Islands Area. The U.S. fishery for gold corals in the Pacific Islands has been dormant since 2001.

In 2008, the Council recommended, and NMFS implemented, a five-year moratorium on the harvest of gold corals in the Pacific Islands Region (73 FR 47098, August 13, 2008). The measure was a precautionary response to research that suggested that gold coral growth rates and recruitment were much lower than previously known.

The Council considered additional research in 2012 that included refined gold coral growth rates and the identification of previously unknown habitat requirements. Based on that information, in 2013 the Council recommended that NMFS extend the moratorium for five years, which the agency did in May 2013 (78 FR 32181, May 29, 2013).

The current moratorium is scheduled to expire on June 30, 2018, but the Council continues to be concerned about uncertainties related to slow gold coral growth rates, taxonomy, and complex habitat requirements. Extending the moratorium another five years will provide additional time for further research and for the Council to develop sustainable management measures for gold corals. Based on the Council's concerns, NMFS is extending the moratorium on harvesting gold corals for five years, through June 30, 2023.

Additional background information on this action is in the preamble to the proposed rule (83 FR 18260, April 26, 2018).

Comments and Responses

On April 26, 2018, NMFS published a proposed rule and request for public comments (83 FR 18260). The comment period ended May 11, 2018. NMFS received input from four commenters, all generally in support of the rule. We respond below to specific comments.

Comment 1: Additional research on gold coral growth rates would help develop sustainable catch levels in the future.

Response: NMFS agrees research is needed on the biology of gold corals to quantify the impacts of possible future harvesting on these coral species. Extending the moratorium may stimulate this needed research.

Comment 2: NMFS should reduce harvest effort gradually until the long-term optimal level is achieved and gold corals are allowed to recover.

Response: Prior to the implementation of the first moratorium in 2008, the gold coral fishery was regulated by an annual harvest quota of 240 kg. This quota was divided between two coral beds located in the main Hawaiian Islands (20 kg each), and two coral beds located in the Northwestern Hawaiian Islands (33.5 and 66.5 kg). The Council considered a range of new management alternatives

in 2008, including a moratorium and 50 percent reduction in quota at each coral bed. NMFS analyzed the effect of a 50 percent reduction in quota and found that the potential risk of overfishing gold corals would be reduced, but not eliminated. If gold coral growth rates are as low as indicated, reducing the current quota by 50 percent may result in unsustainable harvest. Furthermore, given the high operating costs and associated safety risks, harvest at low levels may not be economically viable.

Comment 3: NMFS should conduct an economic analysis on the effects of the moratorium.

Response: NMFS assessed the costs and benefits of the proposed action and other alternatives pursuant to Executive Order 12866. Gold coral harvesting has occurred infrequently during the past 50 years, with only 2 entities ever harvesting gold corals commercially in the region. The fishery was dormant for the seven years prior to the implementation of the moratorium in 2008. If the moratorium expires, consumers and fishermen might gain in the short term in being able to trade in gold corals. However, if such harvests are unsustainable, consumers and fishermen may face negative impacts from potential fishery closures in the long term.

Comment 4: NMFS should extend the moratorium for ten years.

Response: The five-year moratorium provides time for researchers to conduct gold coral research and share their results with managers. This time period provides the impetus for the research to be conducted so that the fishery can be re-opened as soon as possible, if the research indicates that the fishery could be sustainable. After five years, the Council would review the best available scientific information and recommend appropriate management actions.

Comment 5: Why do gold corals need conservation relative to other precious corals?

Response: While all precious corals grow slowly and have low rates of mortality and recruitment, gold corals grow more slowly and live longer than other precious corals in the region. For example, whereas pink and black coral colonies may be less than 100 years old, gold coral colonies may be several hundred to several thousand years old. Slower growth rates and longer lives make gold corals more vulnerable to overfishing than other precious corals. Thus, gold corals require different conservation and management measures than other precious corals.

Changes From the Proposed Rule

This final rule contains no changes from the proposed rule.

Classification

The Administrator, Pacific Islands Region, NMFS, determined that this action is necessary for the conservation and management of the gold coral fishery and that it is consistent with the Magnuson-Stevens Fishery Conservation and Management Act and other applicable laws.

This final 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 during the proposed rule stage that this action 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. As a result, a regulatory flexibility analysis was not required and none was prepared.

List of Subjects in 50 CFR Part 665

Administrative practice and procedure, American Samoa, Deep sea coral, Fisheries, Fishing, Guam, Hawaii, Northern Mariana Islands, Pacific Remote Island Areas, Precious coral.

Dated: June 11, 2018.

Donna S. Wieting,

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

For the reasons set out in the preamble, NMFS amends 50 CFR part 665 as follows:

PART 665—FISHERIES IN THE WESTERN PACIFIC

■ 1. The authority citation for part 665 continues to read as follows:

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

■ 2. Revise § 665.169 to read as follows:

§ 665.169 Gold coral harvest moratorium.

Fishing for, taking, or retaining any gold coral in any precious coral permit area is prohibited through June 30, 2023.

■ 3. In § 665.269, revise note 2 to the table in paragraph (d) to read as follows:

§ 665.269 Quotas.

* * * * *

(d) * * *

Notes:

* * * * *

2. A moratorium on gold coral harvesting is in effect through June 30, 2023.

■ 4. Revise § 665.270 to read as follows:

§ 665.270 Gold coral harvest moratorium.

Fishing for, taking, or retaining any gold coral in any precious coral permit area is prohibited through June 30, 2023.

■ 5. Revise § 665.469 to read as follows:

§ 665.469 Gold coral harvest moratorium.

Fishing for, taking, or retaining any gold coral in any precious coral permit area is prohibited through June 30, 2023.

■ 6. Revise § 665.669 to read as follows:

§ 665.669 Gold coral harvest moratorium.

Fishing for, taking, or retaining any gold coral in any precious coral permit area is prohibited through June 30, 2023.

[FR Doc. 2018–12817 Filed 6–13–18; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 83, No. 115

Thursday, June 14, 2018

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

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0510; Product Identifier 2017–NM–115–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to supersede Airworthiness Directive (AD) 2016–04–16, which applies to all The Boeing Company Model DC–10–10, DC–10–10F, DC–10–15, DC–10–30, DC–10–30F (KC–10A and KDC–10), DC–10–40, DC–10–40F, MD–10–10F, MD–10–30F, MD–11, and MD–11F airplanes. AD 2016–04–16 requires adding design features to detect electrical faults and to detect a pump running in an empty fuel tank. Since we issued AD 2016–04–16, we have received new service information that would eliminate the need for certain provisions of AD 2016–04–16. This proposed AD would provide optional terminating action for certain requirements. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by July 30, 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 Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone: 562–797–1717; internet: *https://www.myboeingfleet.com.* You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0510.

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–2018–0510; 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 NPRM, the regulatory evaluation, any comments received, and other information. The street address for Docket Operations (phone: 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Serj Harutunian, Aerospace Engineer, Propulsion Section, FAA, Los Angeles ACO Branch, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5254; fax: 562–627–5210; email: *serj.harutunian@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–2018–0510; Product Identifier 2017–NM–115–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 proposed AD.

Discussion

We issued AD 2016–04–16, Amendment 39–18410 (81 FR 12806, March 11, 2016) (''AD 2016–04–16''), for all The Boeing Company Model DC–10–10, DC–10–10F, DC–10–15, DC–10–30, DC–10–30F (KC–10A and KDC–10), DC–10–40, DC–10–40F, MD–10–10F, MD–10–30F, MD–11, and MD–11F airplanes. AD 2016–04–16 requires adding design features to detect electrical faults and to detect a pump running in an empty fuel tank. AD 2016–04–16 resulted from a determination that it is necessary to clarify the requirements for the design features and to remove a terminating action for certain inspections. We issued AD 2016–04–16 to reduce the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

Actions Since AD 2016–04–16 Was Issued

Since we issued AD 2016–04–16, we have received new service information that would eliminate the need for certain provisions of AD 2016–04–16.

Related Service Information Under 1 CFR Part 51

We reviewed the following Boeing service information.

- Boeing Alert Service Bulletin DC10–28A253, dated June 5, 2014; and Boeing Alert Service Bulletin MD11–28A133, dated June 5, 2014. This service information describes procedures for replacing the fuel pump control relays with fault current detectors and changing the fuel tank boost/transfer pump wire termination. These documents are distinct since they apply to different airplane models.
- Boeing Service Bulletin DC10–28–256, dated June 24, 2014; and Boeing Service Bulletin MD11–28–137, dated June 24, 2014. This service information describes procedures for changing the fuel pump control and indication system wiring. These documents are distinct since they apply to different airplane models.
- Boeing Trijet Special Compliance Item Report MDC–02K1003, Revision M,

including Appendices A through D, dated July 25, 2014, which includes Critical Design Configuration Control Limitations (CDCCLs), Airworthiness Limitation Instructions (ALIs), and short-term extensions in Appendices B, C, and D, respectively. The service information describes fuel ALIs that address ignition sources.

• Boeing Service Bulletin DC10–28–264, dated May 15, 2015, or Boeing Service Bulletin MD11–28–146, dated May 15, 2015. This service information describes procedures for replacement of the fuel pump housing electrical connector, associated wires, fuel tank feed-through components, and installing sealed terminal lugs on the fuel pump wiring, or replacement of the fuel pump housing, associated wires, fuel tank feed-through components, and installing sealed terminal lugs on the fuel pump. These documents are distinct since they apply to different airplane models.

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 these same type designs.

Proposed AD Requirements

This proposed AD would retain all requirements of AD 2016–04–16. Specifically, this proposed AD would retain the repetitive inspections for proper operation of the fuel pump, and applicable corrective actions.

This proposed AD would also eliminate the need for the provisions in paragraph (j) of this proposed AD by providing optional terminating action for the requirements of paragraph (a) of AD 2002–13–10, Amendment 39–12798 (67 FR 45053, July 8, 2002); paragraph (a) of AD 2003–07–14, Amendment 39–13110 (68 FR 17544, April 10, 2003); and paragraph (j) of AD 2011–11–05, Amendment 39–16704 (76 FR 31462, June 1, 2011).

This proposed AD specifies to revise certain operator maintenance documents to include new actions (*e.g.,* inspections) and CDCCLs. Compliance with these actions and CDCCLs is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (l) of this proposed AD. The request should include a description of changes to the required actions and CDCCLs that will ensure the continued operational safety of the airplane. For information on the procedures and compliance times, see this service information at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0510.

Costs of Compliance

We estimate that this proposed AD affects 341 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
Installing design features using a method approved by the FAA (retained actions from AD 2016–04–16).	152 work-hours × $85 per hour = $12,920	$137,500	$150,420	$51,293,220
Installing design features using service information (retained actions from AD 2016–04–16).	98 work-hours × $85 per hour = $8,330	109,000	117,330	40,009,530
Inspection for proper operation (new proposed action).	Up to 130 work-hours × $85 per hour = $11,050 per inspection cycle.	0	Up to $11,050 per inspection cycle.	

ESTIMATED COSTS FOR OPTIONAL TERMINATING ACTIONS

Action	Labor cost	Parts cost	Cost per product
Option 1: Replace connectors for Model DC–10 and MD–10 (122 airplanes).	68 work-hours × $85 per hour = $5,780.	$54,842	$60,622.
Option 1: Replace connectors for Model MD–11 (124 airplanes)	59 work-hours × $85 per hour = $5,015.	$67,031	$72,046.
Option 2: Replace fuel pump housings for Model DC–10 and MD–10 (122 airplanes).	Up to 81 work-hours × $85 per hour = $6,885.	Up to $54,842 ..	Up to $61,727.
Option 2: Replace fuel pump housings for Model MD–11 (124 airplanes).	Up to 77 work-hours × $85 per hour = $6,545.	Up to $67,031 ..	Up to $73,576.

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this proposed AD.

Authority for This Rulemaking

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

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

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

Regulatory Findings

We have 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 that the 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 removing Airworthiness Directive (AD) 2016–04–16, Amendment 39–18410 (81 FR 12806, March 11, 2016), and adding the following new AD:

The Boeing Company: Docket No. FAA–2018–0510; Product Identifier 2017–NM–115–AD.

(a) Comments Due Date

The FAA must receive comments on this AD action by July 30, 2018.

(b) Affected ADs

(1) This AD replaces AD 2016–04–16, Amendment 39–18410 (81 FR 12806, March 11, 2016) (''AD 2016–04–16'').

(2) This AD affects AD 2002–13–10, Amendment 39–12798 (67 FR 45053, July 8, 2002) (''AD 2002–13–10'').

(3) This AD affects AD 2003–07–14, Amendment 39–13110 (68 FR 17544, April 10, 2003) (''AD 2003–07–14'').

(4) This AD affects AD 2008–06–21 R1, Amendment 39–16100 (74 FR 61504, November 25, 2009) (''AD 2008–06–21 R1'').

(5) This AD affects AD 2011–11–05, Amendment 39–16704 (76 FR 31462, June 1, 2011) (''AD 2011–11–05'').

(c) Applicability

This AD applies to all The Boeing Company airplanes identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) Model DC–10–10, DC–10–10F, DC–10–15, DC–10–30, DC–10–30F (KC–10A and KDC–10), DC–10–40, and DC–10–40F airplanes.

(2) Model MD–10–10F, MD–10–30F, MD–11, and MD–11F airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 28, Fuel.

(e) Unsafe Condition

This AD was prompted by a fuel system review conducted by the manufacturer. We are issuing this AD to reduce the potential of ignition sources inside fuel tanks, which, in combination with flammable fuel vapors, could result in fuel tank explosions and consequent loss of the airplane.

(f) Compliance

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

(g) Restatement of Paragraph (g) of AD 2016–04–16, With No Changes

This paragraph restates the requirements of paragraph (g) of AD 2016–04–16, with no changes. Except as provided by paragraph (h) of this AD: As of 48 months after April 15, 2016 (the effective date of AD 2016–04–16), no person may operate any airplane affected by this AD unless an amended type certificate or supplemental type certificate that incorporates the design features and requirements described in paragraphs (g)(1) through (g)(4) of this AD has been approved by the Manager, Los Angeles ACO Branch, FAA, and those design features are installed on the airplane to meet the criteria specified in section 25.981(a) and (d) of the Federal Aviation Regulations (14 CFR 25.981(a) and (d), at Amendment 25–125 (*http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgFAR.nsf/0/339DAEE3E0A6379D862574CF00641951?OpenDocument*)). For airplanes on which Boeing-installed auxiliary fuel tanks are removed, the actions specified in this AD for the auxiliary fuel tanks are not required.

(1) For all airplanes: Each electrically powered alternating current (AC) fuel pump installed in any fuel tank that normally empties during flight and each pump that is partially covered by a lowering fuel level—such as main tanks, center wing tanks, auxiliary fuel tanks installed by the airplane manufacturer, and tail tanks—must have a protective device installed to detect electrical faults that can cause arcing and burn through of the fuel pump housing and pump electrical connector. The same device must shut off the pump by automatically removing electrical power from the pump when such faults are detected. When a fuel pump is shut off resulting from detection of an electrical fault, the device must stay latched off, until the fault is cleared through maintenance action and the pump is verified safe for operation.

(2) For airplanes with a 2-person flightcrew: Additional design features, if not originally installed by the airplane manufacturer, must be installed to meet 3 criteria: To detect a running fuel pump in a tank that is normally emptied during flight, to provide an indication to the flightcrew that the tank is empty, and to automatically shut off that fuel pump. The prospective pump indication and shutoff system must automatically shut off each pump in case the flightcrew does not shut off a pump running dry in an empty tank within 60 seconds after each fuel tank is emptied. An airplane flight manual supplement (AFMS) that includes flightcrew manual pump shutoff procedures in the Limitations section of the AFMS must be submitted to the Los Angeles ACO Branch, FAA, for approval.

(3) For airplanes with a 3-person flightcrew: Additional design features, if not originally installed by the airplane manufacturer, must be installed to detect when a fuel pump in a tank that is normally emptied during flight is running in an empty fuel tank, and to provide an indication to the flightcrew that the tank is empty. The flight engineer must manually shut off each pump running dry in an empty tank within 60 seconds after the tank is emptied. The AFMS Limitations section must be revised to specify that this pump shutoff must be done by the flight engineer.

(4) For all airplanes with tanks that normally empty during flight: Separate means must be provided to detect and shut off a pump that was previously commanded to be shut off automatically or manually but remained running in an empty tank during flight.

(h) Restatement of Paragraph (h) of AD 2016–04–16, With No Changes

This paragraph restates the provisions of paragraph (h) of AD 2016–04–16, with no changes. In lieu of doing the requirements of paragraph (g) of this AD, do the applicable actions specified in paragraphs (h)(1), (h)(2), and (h)(3) of this AD.

(1) For MD–11 and MD–11F airplanes: Do the actions specified in paragraphs (h)(1)(i) and (h)(1)(ii) of this AD.

(i) As of 48 months after April 15, 2016 (the effective date of AD 2016–04–16), change the fuel pump control and indication system wiring, in accordance with the

Accomplishment Instructions of Boeing Service Bulletin MD11–28–137, dated June 24, 2014.

(ii) Prior to or concurrently with accomplishing the actions specified in paragraph (h)(1)(i) of this AD: Replace the fuel pump control relays with fault current detectors, and change the fuel tank boost/transfer pump wire termination, in accordance with Accomplishment Instructions of Boeing Alert Service Bulletin MD11–28A133, dated June 5, 2014.

(2) For Model DC–10–10, DC–10–10F, DC–10–15, DC–10–30, DC–10–30F (KC–10A and KDC–10), DC–10–40, DC–10–40F, MD–10–10F, and MD–10–30F airplanes: Do the actions specified in paragraphs (h)(2)(i) and (h)(2)(ii) of this AD.

(i) As of 48 months after April 15, 2016 (the effective date of AD 2016–04–16), change the fuel pump control and indication system wiring, in accordance with the Accomplishment Instructions of Boeing Service Bulletin DC10–28–256, dated June 24, 2014.

(ii) Prior to or concurrently with accomplishing the actions specified in paragraph (h)(2)(i) of this AD: Replace the fuel pump control relays with fault current detectors, and change the fuel tank boost/transfer pump wire termination, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin DC10–28A253, dated June 5, 2014.

(3) For all airplanes: Within 30 days after accomplishing the actions required by paragraph (h)(1) or (h)(2) of this AD, or within 30 days after April 15, 2016 (the effective date of AD 2016–04–16), whichever occurs later, revise the maintenance or inspection program, as applicable, to incorporate the Critical Design Configuration Control Limitations (CDCCLs), Airworthiness Limitation Instructions (ALIs), and short-term extensions specified in Appendices B, C, and D of Boeing Trijet Special Compliance Item (SCI) Report MDC–02K1003, Revision M, dated July 25, 2014. The initial compliance time for accomplishing the actions specified in the ALIs is at the later of the times specified in paragraphs (h)(3)(i) and (h)(3)(ii) of this AD. Revising the maintenance or inspection program required by this paragraph terminates the requirements in paragraphs (g) and (h) of AD 2008–06–21 R1.

(i) At the applicable time specified in Appendix C of Boeing Trijet SCI Report MDC–02K1003, Revision M, dated July 25, 2014, except as provided by Appendix D of Boeing Trijet SCI Report MDC–02K1003, Revision M, dated July 25, 2014.

(ii) Within 30 days after accomplishing the actions required by paragraph (h)(1) or (h)(2) of this AD, as applicable; or within 30 days after April 15, 2016 (the effective date of AD 2016–04–16); whichever occurs later.

(i) Restatement of Paragraph (i) of AD 2016–04–16, With No Changes

This paragraph restates the requirements of paragraph (i) of AD 2016–04–16, with no changes. If the option in paragraph (h)(3) of this AD is accomplished: After the maintenance or inspection program has been revised as provided by paragraph (h)(3) of this AD, no alternative actions (*e.g.,* inspections), intervals, or CDCCLs may be used unless the actions, intervals, or CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (l) of this AD.

(j) Restatement of Paragraph (j) of AD 2016–04–16, With Additional AD Reference and Clarification of Provisions

This paragraph restates the provisions of paragraph (j) of AD 2016–04–16, with an additional AD reference and clarification of the provisions. Accomplishment of the actions specified in paragraphs (h)(1), (h)(2), and (h)(3) of this AD, as applicable, extends the 18-month interval for the repetitive inspections and tests required by paragraph (a) of AD 2002–13–10; the 18-month interval for the repetitive inspections required by paragraph (a) of AD 2003–07–14; and the 18-month interval for the repetitive inspections required by paragraph (j) of AD 2011–11–05; to 24-month intervals for pumps affected by those ADs, regardless if the pump is installed in a tank that normally empties, provided the remaining actions required by those three ADs have been accomplished.

(k) New Provision of This AD: Optional Terminating Action

Replacing the electrical connectors or fuel pump housing in accordance with the Accomplishment Instructions of Boeing Service Bulletin DC10–28–264, dated May 15, 2015; or Boeing Service Bulletin MD11–28–146, dated May 15, 2015, as applicable; terminates the repetitive inspections and tests required by paragraph (a) of AD 2002–13–10, paragraph (a) of AD 2003–07–14, and paragraph (j) of AD 2011–11–05.

(l) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Los Angeles ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (m)(1) of this AD. Information may be emailed to: *9-ANM-LAACO-AMOC-Requests@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.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Los Angeles ACO Branch, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) For service information that contains steps that are labeled as Required for Compliance (RC), the provisions of paragraphs (l)(4)(i) and (l)(4)(ii) of this AD apply.

(i) The steps labeled as RC, including substeps under an RC step and any figures identified in an RC step, must be done to comply with the AD. If a step or substep is labeled ''RC Exempt,'' then the RC requirement is removed from that step or substep. An AMOC is required for any deviations to RC steps, including substeps and identified figures.

(ii) Steps not labeled as RC may be deviated from using accepted methods in accordance with the operator's maintenance or inspection program without obtaining approval of an AMOC, provided the RC steps, including substeps and identified figures, can still be done as specified, and the airplane can be put back in an airworthy condition.

(m) Related Information

(1) For more information about this AD, contact Serj Harutunian, Aerospace Engineer, Propulsion Section, FAA, Los Angeles ACO Branch, 3960 Paramount Boulevard, Lakewood, CA 90712–4137; phone: 562–627–5254; fax: 562–627–5210; email: *serj.harutunian@faa.gov.*

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone: 562–797–1717; internet: *https://www.myboeingfleet.com.* You may view this referenced service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued in Des Moines, Washington, on June 6, 2018.

Michael Kaszycki,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2018–12656 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0511; Product Identifier 2017–NM–145–AD]

RIN 2120–AA64

Airworthiness Directives; BAE Systems (Operations) Limited Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all BAE Systems (Operations) Limited Model 4101 airplanes. This proposed AD was prompted by a determination that

inspection requirements for a number of maintenance tasks are incorrect. This proposed AD would require a one-time detailed inspection of a certain fuselage frame and repair, if necessary, and a revision of the maintenance or inspection program, as applicable, to incorporate new or revised maintenance instructions and airworthiness limitations. We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by July 30, 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 BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email *RApublications@baesystems.com;* internet *http://www.baesystems.com/Businesses/RegionalAircraft/index.htm.* You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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–2018–0511; 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 Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3228.

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–2018–0511; Product Identifier 2017–NM–145–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 based on those comments.

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

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA AD 2017–0187, dated September 22, 2017 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for all BAE Systems (Operations) Limited Model 4101 airplanes. The MCAI states:

> Maintenance instructions for BAE Jetstream 4100 aeroplanes, which are approved by EASA, are defined in BAE Systems (Operations) Ltd Jetstream 4100 Service Bulletin (SB) J41–51–001, which references certain Aircraft Maintenance Manual (AMM) tasks. These instructions have been identified as mandatory for continued airworthiness.
>
> Failure to accomplish these instructions could result in an unsafe condition.
>
> CAA UK [Civil Aviation Authority United Kingdom] issued AD 005–02–2002 [which corresponds to FAA AD 2005–15–11, Amendment 39–14200 (70 FR 43025, July 26, 2005) (''AD 2005–15–11'')] to require operators to comply with the inspection instructions as referenced in SB J41–51–001 at original issue.
>
> Since that [CAA UK] AD was issued, BAE Systems (Operations) Ltd have determined that the inspection requirements for a number of maintenance tasks are incorrect. Consequently, existing inspection items 52–20–013, 53–10–006, 53–10–025, 53–10–029 and 53–10–079 will be amended in Chapter 05 of the AMM. Compliance periods for these changes are given in BAE Systems (Operations) Ltd SB J41–51–001 (now at Revision 4) and BAE Systems (Operations) Ltd Alert SB J41–A53–058. Those fatigue inspections detailed in SB J41–51–001, at Revision 3 or earlier, have now been incorporated into Chapter 05 of the AMM. To avoid duplication these tasks are deleted from SB J41–51–001 at Revision 4.
>
> For the reason described above, this [EASA] AD retains the requirements of CAA UK AD 005–02–2002, which is superseded, and requires accomplishment of the actions specified in BAE Systems (Operations) Ltd Jetstream 4100 SB J41–51–001 Revision 4 and Alert SB J41–A53–058 (hereafter collectively referred to as 'the SB' in this [EASA] AD).

The actions include a one-time detailed inspection of fuselage frame 90 for cracking or fatigue damage and repair if necessary; and revising the maintenance or inspection program, as applicable, to incorporate new or revised maintenance instructions and airworthiness limitations. This proposed AD was prompted by a determination that it is possible for cracks in fuselage frame 90 to exceed the critical length for failure in less time than the current inspection interval; and a determination that inspection requirements for a number of maintenance tasks involving certain airworthiness limitations are incorrect. The unsafe condition is cracking in fuselage frame 90, which could cause it to fail and thereby compromise the structural integrity of the aircraft pressure hull; and fatigue damage of various airplane structures, which could result in reduced structural integrity of the airplane.

You may examine the MCAI in the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0511.

Relationship Between Proposed AD and AD 2005–15–11

This NPRM would not supersede AD 2005–15–11. Rather, we have determined that a stand-alone AD would be more appropriate to address the changes in the MCAI. This NPRM would require a one-time detailed inspection of fuselage frame 90 for cracking or fatigue damage and revising the maintenance or inspection program, as applicable, to incorporate new or revised maintenance instructions and airworthiness limitations. Accomplishment of the proposed actions would then terminate all of the requirements of AD 2005–15–11.

Related Service Information Under 1 CFR Part 51

BAE Systems (Operations) Limited has issued the following service information.

- Service Bulletin J41–51–001, Revision 4, dated July 11, 2017. This service information describes new

inspections and revisions to existing inspection requirements and thresholds.

• Alert Service Bulletin J41–A53–058, dated December 6, 2016. This service information describes procedures for a detailed inspection for cracking or fatigue damage of fuselage frame 90.

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

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

This AD requires revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (l)(1) of this proposed AD. The request should include a description of changes to the required actions that will ensure the continued damage tolerance of the affected structure.

Differences Between This Proposed AD and the MCAI or Service Information

The MCAI specifies that if there are findings from the airworthiness limitations section (ALS) inspection tasks, corrective actions must be accomplished in accordance with Airbus maintenance documentation. However, this proposed AD does not include that requirement. Operators of U.S.-registered airplanes are required by general airworthiness and operational regulations to perform maintenance using methods that are acceptable to the FAA. We consider those methods to be adequate to address any corrective actions necessitated by the findings of ALS inspections required by this proposed AD.

Costs of Compliance

We estimate that this proposed AD affects 4 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
Inspection	2 work-hours × $85 per hour = $170	$0	$170	$680

We have determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although we recognize that this number may vary from operator to operator. In the past, we have estimated that this action takes 1 work-hour per airplane. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), we have determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, we estimate the total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

We have received no definitive data that would enable us to provide cost estimates for the on-condition actions specified in this proposed AD.

Authority for This Rulemaking

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

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

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

Regulatory Findings

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

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

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

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

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

BAE Systems (Operations) Limited: Docket No. FAA–2018–0511; Product Identifier 2017–NM–145–AD.

(a) Comments Due Date

We must receive comments by July 30, 2018.

(b) Affected ADs

This AD affects AD 2005–15–11, Amendment 39–14200 (70 FR 43025, July 26, 2005) (''AD 2005–15–11'').

(c) Applicability

This AD applies to all BAE Systems (Operations) Limited Model 4101 airplanes, certificated in any category, all manufacturer serial numbers.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Reason

This AD was prompted by a determination that it is possible for cracks in fuselage frame 90 to exceed the critical length for failure in less time than the current inspection interval; and a determination that inspection requirements for a number of maintenance tasks involving certain airworthiness limitations are incorrect. We are issuing this AD to address cracking in fuselage frame 90, which could cause it to fail and thereby compromise the structural integrity of the aircraft pressure hull. We are also issuing this AD to address fatigue damage of various airplane structures, which could result in reduced structural integrity of the airplane.

(f) Compliance

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

(g) Inspection

At the compliance times specified in paragraphs (g)(1) and (g)(2) of this AD, as applicable: Do a detailed inspection of fuselage frame 90 for cracking or fatigue damage, in accordance with the Accomplishment Instructions of BAE Systems (Operations) Limited Alert Service Bulletin J41–A53–058, dated December 6, 2016. If any cracking or fatigue damage is found: Before further flight, repair using a method approved by the Manager, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or BAE Systems (Operations) Limited's EASA Design Organization Approval (DOA).

(1) For airplanes with 6,300 flight cycles or fewer since Structural Significant Items (SSI) 53–10–029 (Maintenance Planning Document (MPD) 531029–DVl–10010–1) was last accomplished: Within 6,600 flight cycles after the last accomplishment of SSI 53–10–029 (MPD 531029–DVl–10010–1), or within 6 months after the effective date of this AD, whichever is later.

(2) For airplanes with more than 6,300 flight cycles since SSI 53–10–029 (MPD 531029–DVl–10010–1) was last accomplished: Within 300 flight cycles or 4.5 months, whichever is earlier, since the last accomplishment of SSI 53–10–029 (MPD 531029–DVl–10010–1), or within 6 months after the effective date of this AD, whichever is later.

(h) Maintenance or Inspection Program Revisions

Within 90 days after the effective date of this AD: Revise the maintenance or inspection program, as applicable, by incorporating the maintenance tasks and associated thresholds and intervals described in, and in accordance with, the Accomplishment Instructions of BAE Systems (Operations) Limited Service Bulletin J41–51–001, Revision 4, dated July 11, 2017, as applicable. The initial compliance times for new or revised tasks are at the applicable times specified in BAE Systems (Operations) Limited Service Bulletin J41–51–001, Revision 4, dated July 11, 2017, or within 6 months after the effective date of this AD, whichever is later.

(i) No Alternative Actions and Intervals

After the maintenance or inspection program has been revised as required by paragraph (h) of this AD, no alternative actions (*e.g.,* inspections) or intervals may be used unless the actions or intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (l)(1) of this AD.

(j) Terminating Action for Requirements of AD 2005–15–11

Accomplishment of the actions required by paragraph (h) of this AD terminates all requirements of AD 2005–15–11.

(k) No Reporting Requirement

Although the Accomplishment Instructions of BAE Systems (Operations) Limited Alert Service Bulletin J41–A53–058, dated December 6, 2016, specify to submit certain information to the manufacturer, this AD does not include that requirement.

(l) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards 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 International Section, send it to the attention of the person identified in paragraph (m)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov.* 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.

(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, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or BAE Systems (Operations) Limited's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(m) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD 2017–0187, dated September 22, 2017, for related information. This MCAI may be found in the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0511.

(2) For more information about this AD, contact Todd Thompson, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3228.

(3) For service information identified in this AD, contact BAE Systems (Operations) Limited, Customer Information Department, Prestwick International Airport, Ayrshire, KA9 2RW, Scotland, United Kingdom; telephone +44 1292 675207; fax +44 1292 675704; email *RApublications@baesystems.com;* internet *http://www.baesystems.com/Businesses/RegionalAircraft/index.htm.* You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued in Des Moines, Washington, on June 6, 2018.

Michael Kaszycki,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2018–12732 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2018–0512; Product Identifier 2017–NM–170–AD]

RIN 2120–AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Airbus Model A318, A319, A320 and A321 series airplanes. This AD requires revising the maintenance or inspection

program to incorporate new or more restrictive airworthiness limitations. This AD was prompted by an evaluation by the design approval holder (DAH) indicating that the principal structural elements and certain life-limited parts are subject to widespread fatigue damage (WFD). We are proposing this AD to address the unsafe condition on these products.

DATES: We must receive comments on this proposed AD by July 30, 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 Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com;* internet *http://www.airbus.com.* You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

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–2018–0512; 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 Operations office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3223.

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–2018–0512; Product Identifier 2017–NM–170–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 based on those comments.

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

Discussion

Fatigue damage can occur locally, in small areas or structural design details, or globally, in widespread areas. Multiple-site damage is widespread damage that occurs in a large structural element such as a single rivet line of a lap splice joining two large skin panels. Widespread damage can also occur in multiple elements such as adjacent frames or stringers. Multiple-site damage and multiple-element damage cracks are typically too small initially to be reliably detected with normal inspection methods. Without intervention, these cracks will grow, and eventually compromise the structural integrity of the airplane. This condition is known as widespread fatigue damage. It is associated with general degradation of large areas of structure with similar structural details and stress levels. As an airplane ages, WFD will likely occur, and will certainly occur if the airplane is operated long enough without any intervention.

The FAA's WFD final rule (75 FR 69746, November 15, 2010) became effective on January 14, 2011. The WFD rule requires certain actions to prevent structural failure due to WFD throughout the operational life of certain existing transport category airplanes and all of these airplanes that will be certificated in the future. For existing and future airplanes subject to the WFD rule, the rule requires that DAHs establish a limit of validity (LOV) of the engineering data that support the structural maintenance program. Operators affected by the WFD rule may not fly an airplane beyond its LOV, unless an extended LOV is approved.

The WFD rule (75 FR 69746, November 15, 2010) does not require identifying and developing maintenance actions if the DAHs can show that such actions are not necessary to prevent WFD before the airplane reaches the LOV. Many LOVs, however, do depend on accomplishment of future maintenance actions. As stated in the WFD rule, any maintenance actions necessary to reach the LOV will be mandated by airworthiness directives through separate rulemaking actions.

In the context of WFD, this action is necessary to enable DAHs to propose LOVs that allow operators the longest operational lives for their airplanes, and still ensure that WFD will not occur. This approach allows for an implementation strategy that provides flexibility to DAHs in determining the timing of service information development (with FAA approval), while providing operators with certainty regarding the LOV applicable to their airplanes.

This AD was prompted by an evaluation by the DAH indicating that the principal structural elements and certain life-limited parts are subject to WFD.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2017–0231, dated November 21, 2017 (referred to after this as the Mandatory Continuing Airworthiness Information, or ''the MCAI''), to correct an unsafe condition for all Airbus Model A318, A319, A320 and A321 series airplanes. The MCAI states:

> The airworthiness limitations for the A320 family aeroplanes are currently defined and published in the Airbus A318/A319/A320/A321 Airworthiness Limitations Section (ALS) document(s). The Damage Tolerant Airworthiness Limitation Items are published in ALS Part 2, approved by EASA. The instructions contained in the ALS Part 2 have been identified as mandatory actions for continued airworthiness.
>
> Failure to comply with these instructions could result in an unsafe condition.
>
> Previously, EASA issued AD 2016–0239 [which corresponds to FAA AD 2017–22–03, Amendment 39–19083 (82 FR 49091, October 24, 2017) (''AD 2017–22–03'')] to require accomplishment of all maintenance tasks as described in ALS Part 2 at Revision 05, and [EASA] AD 2015–0038 (later revised) [which corresponds to FAA AD 2016–09–06, Amendment 39–18504 (81 FR 26113, May 2, 2016) (''AD 2016–09–06'')] to require the implementation of reduced thresholds and intervals for the detailed inspection of the forward engine mount on both right hand and left hand sides of aeroplanes equipped with CFM56–5A/5B engines, as specified in the ALS task 712111–01.
>
> Since those [EASA] ADs were issued, Airbus published Revision 06 of the ALS Part

2, and variations up to 6.3, including new and/or more restrictive items, and new A320 family models were certified and added to the Applicability of the ALS. The ALS Part 2 Revision 06 also includes the reduced threshold and intervals required by EASA AD 2015–0038R1.

For the reason described above, this [EASA] AD retains the requirements of EASA AD 2016–0239 and EASA AD 2015–0038R1, which are superseded, requires accomplishment of all maintenance tasks as described in the ALS Part 2 Revision 06, and ALS Part 2 variations 6.1, 6.2 and 6.3 (hereafter collectively referred to as ''the ALS'' in this [EASA] AD), and maintains specific compliance times for ALS task 572021–01–1 (Wide Spread Fatigue Damage related).

You may examine the MCAI in the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0512.

Relationship Between Proposed AD, AD 2016–09–06 and AD 2017–22–03

This NPRM would not supersede AD 2016–09–06 and AD 2017–22–03. Rather, we have determined that a stand-alone AD would be more appropriate to address the changes in the MCAI. This NPRM would require revising the maintenance or inspection program to incorporate new or more restrictive airworthiness limitations. Accomplishment of the proposed actions would then terminate the requirements of paragraphs (g) and (j) of AD 2016–09–06. Accomplishment of the proposed actions would also terminate paragraphs (g)(2) and (i) of 2017–22–03.

Related Service Information Under 1 CFR Part 51

Airbus has issued A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Revision 06, dated April 10, 2017. The service information describes new or more restrictive airworthiness limitations.

Airbus has also issued the following variations to A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT—ALI), Revision 06, dated April 10, 2017.

- A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.1, dated May 18, 2017. The service information describes ALI tasks applicable to certain Model A320–200 and A321–200 airplane configurations.
- A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.2, dated May 24, 2017. The service information describes ALI tasks applicable to Model A321–271N and –272N airplanes.
- A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.3, October 24, 2017. The service information describes ALI tasks associated with door stops for certain Model A318, A319, A320, and A321 series airplanes.

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

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of these same type designs.

This proposed AD would require revisions to certain operator maintenance documents to include new actions (*e.g.,* inspections). Compliance with these actions is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by this proposed AD, the operator may not be able to accomplish the actions described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (j)(1) of this proposed AD. The request should include a description of changes to the required actions that will ensure the continued damage tolerance of the affected structure.

Differences Between This Proposed AD and the MCAI

The MCAI specifies that if there are findings from the airworthiness limitations section (ALS) inspection tasks, corrective actions must be accomplished in accordance with Airbus maintenance documentation. However, this proposed AD does not include that requirement. Operators of U.S.-registered airplanes are required by general airworthiness and operational regulations to perform maintenance using methods that are acceptable to the FAA. We consider those methods to be adequate to address any corrective actions necessitated by the findings of ALS inspections required by this proposed AD.

Airworthiness Limitations Based on Type Design

The FAA recently became aware of an issue related to the applicability of ADs that require incorporation of an ALS revision into an operator's maintenance or inspection program.

Typically, when these types of ADs are issued by civil aviation authorities of other countries, they apply to all airplanes covered under an identified type certificate (TC). The corresponding FAA AD typically retains applicability to all of those airplanes.In addition, U.S. operators must operate their airplanes in an airworthy condition, in accordance with 14 CFR 91.7(a). Included in this obligation is the requirement to perform any maintenance or inspections specified in the ALS, and in accordance with the ALS as specified in 14 CFR 43.16 and 91.403(c), unless an alternative has been approved by the FAA.

When a type certificate is issued for a type design, the specific ALS, including revisions, is a part of that type design, as specified in 14 CFR 21.31(c).

The sum effect of these operational and maintenance requirements is an obligation to comply with the ALS defined in the type design referenced in the manufacturer's conformity statement. This obligation may introduce a conflict with an AD that requires a specific ALS revision if new airplanes are delivered with a later revision as part of their type design.

To address this conflict, the FAA has approved alternative methods of compliance (AMOCs) that allow operators to incorporate the most recent ALS revision into their maintenance/inspection programs, in lieu of the ALS revision required by the AD. This eliminates the conflict and enables the operator to comply with both the AD and the type design.

However, compliance with AMOCs is normally optional, and we recently became aware that some operators choose to retain the AD-mandated ALS revision in their fleet-wide maintenance/inspection programs, including those for new airplanes delivered with later ALS revisions, to help standardize the maintenance of the fleet. To ensure that operators comply with the applicable ALS revision for newly delivered airplanes containing a later revision than that specified in an AD, we plan to limit the applicability of

ADs that mandate ALS revisions to those airplanes that are subject to an earlier revision of the ALS, either as part of the type design or as mandated by an earlier AD.

This proposed AD therefore applies to certain Model Airbus Model A318, A319, A320 and A321 series airplanes with an original certificate of airworthiness or original export certificate of airworthiness that was issued on or before the date of approval of the ALS revision identified in this proposed AD. Operators of airplanes with an original certificate of airworthiness or original export certificate of airworthiness issued after that date must comply with the airworthiness limitations specified as part of the approved type design and referenced on the type certificate data sheet.

Costs of Compliance

We estimate that this proposed AD affects 1,180 airplanes of U.S. registry.

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

We have determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although we recognize that this number may vary from operator to operator. In the past, we have estimated that this action takes 1 work-hour per airplane. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), we have determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, we estimate the total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

Authority for This Rulemaking

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

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

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

Regulatory Findings

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

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

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

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

3. Will not affect intrastate aviation in Alaska; and

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

List of Subjects in 14 CFR Part 39

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

The Proposed Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

Airbus: Docket No. FAA–2018–0512; Product Identifier 2017–NM–170–AD.

(a) Comments Due Date

We must receive comments by July 30, 2018.

(b) Affected ADs

This AD affects AD 2016–09–06, Amendment 39–18504 (81 FR 26113, May 2, 2016) (''AD 2016–09–06'') and AD 2017–22–03, Amendment 39–19083 (82 FR 49091, October 24, 2017) (''AD 2017–22–03'').

(c) Applicability

This AD applies to all Airbus airplanes identified in paragraphs (c)(1), (c)(2), (c)(3), and (c)(4) of this AD; certificated in any category; with an original certificate of airworthiness or original export certificate of airworthiness issued on or before October 24, 2017.

(1) Model A318–111, –112, –121, and –122 airplanes.

(2) Model A319–111, –112, –113, –114, –115, –131, –132, and –133 airplanes.

(3) Model A320–211, –212, –214, –216, –231, –232, –233, –251N, and –271N airplanes.

(4) Model A321–111, –112, –131, –211, –212, –213, –231, –232, –251N, –253N, 271N, and –272N airplanes.

(d) Subject

Air Transport Association (ATA) of America Code 05, Time Limits/Maintenance Checks.

(e) Reason

This AD was prompted by an evaluation by the design approval holder, which indicates that principal structural elements and certain life-limited parts are subject to widespread fatigue damage (WFD). We are issuing this AD to prevent fatigue cracking, accidental damage, or corrosion in principal structural elements, and WFD, which could result in reduced structural integrity of the airplane.

(f) Compliance

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

(g) New Maintenance or Inspection Program Revision

(1) Within 90 days after the effective date of this AD, revise the maintenance or inspection program, as applicable, to incorporate the airworthiness limitations (ALIs) specified in Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Revision 06, dated April 10, 2017; and A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.3, October 24, 2017. Except for ALIs identified in paragraphs (g)(2) and (g)(3) of this AD, the initial compliance time for accomplishing the actions is at the applicable time identified in the ALIs specified in Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Revision 06, dated April 10, 2017; A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.3, October 24, 2017; or within 90 days after the effective date of this AD, whichever occurs later; without exceeding the inspection intervals in

the ALIs required by paragraph (i) of AD 2017–22–03.

(2) For airplanes identified in Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.1, dated May 18, 2017: Concurrently with the revision required by paragraph (g)(1) of this AD, revise the maintenance or inspection program, as applicable, to incorporate the ALIs specified in Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.1, dated May 18, 2017. The initial compliance time for accomplishing the actions is at the applicable time identified in the ALIs specified in Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.1, dated May 18, 2017, or within 90 days after the effective date of this AD, whichever occurs later; without exceeding the inspection intervals in the ALIs required by paragraph (i) of AD 2017–22–03.

(3) For airplanes identified in Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.2, dated May 24, 2017: Concurrently with the revision required by paragraph (g)(1) of this AD, revise the maintenance or inspection program, as applicable, to incorporate the ALIs specified in A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.2, dated May 24, 2017. The initial compliance time for accomplishing the actions is at the applicable time identified in the ALIs specified in Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.2, dated May 24, 2017, or within 90 days after the effective date of this AD, whichever occurs later; without exceeding the inspection intervals in the ALIs required by paragraph (i) of AD 2017–22–03.

(h) No Alternative Actions, Intervals, and Critical Design Configuration Control Limitations (CDCCLs)

After the maintenance or inspection program has been revised as required by paragraph (g) of this AD, no alternative actions (*e.g.,* inspections) or intervals may be used unless the actions or intervals are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (j)(1) of this AD.

(i) Terminating Action for Other FAA ADs

(1) Accomplishing the action required by paragraph (g) of this AD terminates the requirements of paragraphs (g) and (j) of AD 2016–09–06.

(2) Accomplishing the action required by paragraph (g) of this AD terminates the requirements of paragraphs (g)(2) and (i) of AD 2017–22–03.

(j) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Section, Transport Standards 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 International Section, send it to the attention of the person identified in paragraph (k)(2) of this AD. Information may be emailed to: *9-ANM-116-AMOC-REQUESTS@faa.gov*.

(i) 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.

(ii) AMOCs previously approved for AD 2015–05–02, Amendment 39–18112 (80 FR 15152, March 23, 2015) that required incorporation of the service information in paragraphs (j)(1)(ii)(A), (j)(1)(ii)(B), (j)(1)(ii)(C), or (j)(1)(ii)(D), are approved as AMOCs for the corresponding provisions of this AD.

(A) Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Revision 06, dated April 10, 2017.

(B) Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.1, dated May 18, 2017.

(C) Airbus A318/A319/A320/A321 Airworthiness Limitation Section Part 2 –Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.2, dated May 24, 2017.

(D) A318/A319/A320/A321 Airworthiness Limitation Section Part 2—Damage Tolerant Airworthiness Limitation Items (DT–ALI), Variation 6.3, October 24, 2017.

(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, International Section, Transport Standards Branch, FAA; or the European Aviation Safety Agency (EASA); or Airbus's EASA Design Organization Approval (DOA). If approved by the DOA, the approval must include the DOA-authorized signature.

(k) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) EASA AD 2017–0231, dated November 21, 2017, for related information. This MCAI may be found in the AD docket on the internet at *http://www.regulations.gov* by searching for and locating Docket No. FAA–2018–0512.

(2) For more information about this AD, contact Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 2200 South 216th St., Des Moines, WA 98198; telephone and fax 206–231–3223.

(3) For service information identified in this AD, contact Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email *account.airworth-eas@airbus.com*; internet *http://www.airbus.com*. You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

Issued in Des Moines, Washington, on June 6, 2018.

Michael Kaszycki,

Acting Director, System Oversight Division, Aircraft Certification Service.

[FR Doc. 2018–12733 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 401

[Docket No. SSA–2015–0003]

RIN 0960–AI08

Social Security Administration Violence Evaluation and Reporting System

AGENCY: Social Security Administration.

ACTION: Notice of proposed rulemaking.

SUMMARY: In today's **Federal Register**, the Social Security Administration (SSA) separately published, notice of a new system of records, Social Security Administration Violence Evaluation and Reporting System (SSAvers). Because this system will contain investigatory material compiled for law enforcement purposes, this proposed rule will exempt those records from specific provisions of the Privacy Act.

DATES: To ensure that your comments are considered, we must receive them no later than July 16, 2018.

ADDRESSES: You may submit comments by any one of three methods—internet, fax, or mail. Do not submit the same comments multiple times or by more than one method. Regardless of which method you choose, please state that your comments refer to Docket No. SSA–2015–0003, so that we may associate your comments with the correct regulation.

Caution: You should be careful to include in your comments only information that you wish to make publicly available. We strongly urge you not to include in your comments any personal information, such as Social Security numbers or medical information.

1. *Internet:* We strongly recommend that you submit your comments via the internet. Please visit the Federal eRulemaking portal at *http://*

www.regulations.gov. Use the Search function to find docket number SSA–2015–0003. The system will issue a tracking number to confirm your submission. You will not be able to view your comment immediately because we must post each comment manually. It may take up to a week for your comment to be viewable.

2. *Fax:* Fax comments to (410) 966–2830.

3. *Mail:* Address your comments to the Office of Regulations and Reports Clearance, Social Security Administration, 3100 West High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235–6401.

Comments are available for public viewing on the Federal eRulemaking portal at *http://www.regulations.gov* or in person, during regular business hours, by arranging with the contact person identified below.

FOR FURTHER INFORMATION CONTACT: Pamela J. Carcirieri, Supervisory Government Information Specialist, SSA, Office of Privacy and Disclosure, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, Phone: (410) 965–0355, for information about this rule. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778, or visit our internet site, Social Security Online, at *http://www.socialsecurity.gov.*

SUPPLEMENTARY INFORMATION:

Background

In accordance with the Privacy Act (5 U.S.C. 552a), we are issuing public notice of our intent to establish a new system of records entitled, Social Security Administration Violence Evaluation and Reporting System (SSAvers) (60–0379). On April 18, 2012, President Obama issued the memorandum, *Establishing Policies for Addressing Domestic Violence in the Federal Workforce,* which directed the Office of Personnel Management to issue guidance to all departments and agencies to create policy that addressed domestic violence, sexual assault, and stalking. Because of this guidance, we developed the Workplace and Domestic Violence policy and program. We established SSAvers as part of this policy and program to record, review, investigate, and respond to allegations of workplace and domestic violence affecting our employees and contractors.

We are establishing SSAvers as part of our compliance efforts under Title VII of the Civil Rights Act of 1964; Congressional Accountability Act of 1995; 29 U.S.C. 51, Occupational Safety and Health Act of 1970; 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters; 41 CFR 102–74, Subpart C, Conduct on Federal Property; 5 CFR 735, Employee Responsibilities and Conduct; 5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch; and various other statutes related to handling incidents of workplace and domestic violence.

SSAvers will capture and house information regarding alleged incidents of workplace and domestic violence filed by SSA employees and SSA contractors, and will allow SSA's Crisis Advisory Team (CAT) to review and respond to the reported allegations. Due to the investigatory nature of information that we will maintain in this system of records, we propose this rule to add SSAvers to the list of SSA systems that are exempt from specific provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

Rulemaking Analyses and Notices

We will consider all comments received on or before the close of business on the comment closing date previously indicated, and we will make the comments available for examination in the docket at the previously noted address. We will file comments received after the comment closing date in the docket, and we will consider them to the extent practicable. We may publish a final rule at any time after close of the comment period.

Clarity of This Rule

Executive Order 12866, as supplemented by Executive Order 13563, requires each agency to write all rules in plain language. In addition to your substantive comments on this interim final rule, we invite your comments on how to make the rule easier to understand.

For example:

- Would more, but shorter, sections be better?
- Are the requirements in the rule clearly stated?
- Have we organized the material to suit your needs?
- Could we improve clarity by adding tables, lists, or diagrams?
- What else could we do to make the rule easier to understand?
- Does the rule contain technical language or jargon that is not clear?
- Would a different format make the rule easier to understand, *e.g.* grouping and order of sections, use of headings, paragraphing?

Regulatory Procedures

SSA will publish a final rule responding to any comments received and, if appropriate, will amend provisions of the rule.

Executive Order 12866, as Supplemented by Executive Order 13563

We consulted with the Office of Management and Budget (OMB) and determined that this final rule does not meet the criteria for a significant regulatory action under Executive Order 12866, as supplemented by Executive Order 13563. Therefore, OMB did not review it.

We also determined that this final rule meets the plain language requirement of Executive Order 12866.

Executive Order 13132 (Federalism)

We analyzed this proposed rule in accordance with the principles and criteria established by Executive Order 13132, and we determined that the proposed rule will not have sufficient Federalism implications to warrant the preparation of a Federalism assessment. We also determined that this proposed rule will not preempt any State law or State regulation or affect the States' abilities to discharge traditional State governmental functions.

Executive Order 12372 (Intergovernmental Review)

The regulations effectuating Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this proposed rule.

Regulatory Flexibility Act

We certify that this proposed rule will not have a significant economic impact on a substantial number of small entities because it affects individuals only. Therefore, the Regulatory Flexibility Act, as amended, does not require us to prepare a regulatory flexibility analysis.

Paperwork Reduction Act

These rules do not create any new or affect any existing collections and, therefore, do not require Office of Management and Budget approval under the Paperwork Reduction Act.

List of Subjects in 20 CFR Part 401

Administrative practice and procedure, Privacy.

Nancy Berryhill,

Acting Commissioner of Social Security.

For the reasons stated in the preamble, we are amending part 401 of title 20 of the Code of Federal Regulations as set forth below:

PART 401—PRIVACY AND DISCLOSURE OF OFFICIAL RECORDS AND INFORMATION

■ 1. The authority citation for part 401 continues to read as follows:

Authority: Secs. 205, 702(a)(5), 1106, and 1141 of the Social Security Act (42 U.S.C. 405, 902(a)(5), 1306, and 1320b–11); 5 U.S.C. 552 and 552a; 8 U.S.C. 1360; 26 U.S.C. 6103; 30 U.S.C. 923.

■ 2. Amend § 401.85, by adding paragraph (b)(2)(ii)(G) to read as follows:

* * * * *

(b) * * *

(2) * * *

(ii) * * *

(G) Social Security Administration Violence Evaluation and Reporting System, SSA.

* * * * *

[FR Doc. 2018–12819 Filed 6–13–18; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2016–0963]

RIN 1625–AA09

Drawbridge Operation Regulations; Tchefuncta River, Madisonville, LA

AGENCY: Coast Guard, DHS.

ACTION: Supplemental notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating schedule that governs the State Route 22 Bridge (Madisonville (SR 22) swing span bridge) across the Tchefuncta River, mile 2.5, at Madisonville, St. Tammany Parish, Louisiana. This action is necessary to relieve vehicular traffic congestion along SR 22 near Madisonville, LA during peak, afternoon weekday traffic periods.

DATES: Comments and related material must be received by the Coast Guard on or before July 16, 2018.

ADDRESSES: You may submit comments identified by docket number USCG–2016–0963 using Federal eRulemaking Portal at *http://www.regulations.gov*.

See the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Mr. Doug Blakemore, Eighth Coast Guard District Bridge Administrator; telephone (504) 671–2128, email *Douglas.A.Blakemore@uscg.mil*.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
DHS Department of Homeland Security
FR Federal Register
LA–DOTD Louisiana Department of Transportation and Development
NPRM Notice of proposed rulemaking
§ Section
SNPRM Supplemental notice of proposed rulemaking

II. Background, Purpose and Legal Basis

The State Route 22 Bridge (Madisonville (SR 22) swing span bridge) across the Tchefuncta River, mile 2.5, at Madisonville, St. Tammany Parish, Louisiana, is regulated under 33 CFR 117.500 and has a vertical clearance of 6.2 feet above Mean High Water in the closed-to-navigation position and unlimited clearance in the open-to-navigation position. The draw of this bridge opens on signal from 7 p.m. to 6 a.m. From 6 a.m. to 7 p.m., the draw opens on the hour and half hour, except that from 6 a.m. to 9 a.m. and from 4 p.m. to 7 p.m. Monday through Friday except federal holidays, the draw opens only on the hour. Navigation on the waterway consists primarily of recreational traffic as the largest commercial facility upstream of the bridge is no longer in service.

On November 4, 2016, at the request of the Louisiana Department of Transportation and Development (LA–DOTD), the Coast Guard issued a temporary deviation titled ''Drawbridge Operation Regulations; Tchefuncta River, Madisonville, LA'' (81 FR 76866). There, we stated that the 180-day deviation would test a temporary change to the operating schedule of the Madisonville (SR 22) swing span bridge to determine whether a permanent change is necessary. From November 21, 2016 through May 18, 2017, this deviation extended the time between openings from 30 minutes to an hour between 6 a.m. and 7 p.m. daily, and allowed the bridge to remain closed at 8 a.m., 5 p.m., and 6 p.m.. Monday through Friday except federal holidays. During the comment period that closed on January 18, 2017, we received no comments.

On November 4, 2016, concurrent with the test deviation and on the basis of a recent traffic study conducted by LA–DOTD, the Coast Guard published a notice of proposed rulemaking (NPRM) titled ''Drawbridge Operation Regulations; Tchefuncta River, Madisonville, LA'' (81 FR 76889). There, we stated that the traffic study indicated that the intersection of SR 22 and SR 21/SR1077 is over capacity at peak hours and causes unacceptable levels of delay to roadway traffic, which is compounded by the opening of the Madisonville (SR 22) swing span bridge during peak hours. The traffic study also indicated that a combination of modifications of the traffic controls at this intersection and the operating schedule of the Madisonville (SR 22) swing span bridge would enhance the flow of vehicular traffic over SR 22. The NPRM proposed a change to the schedule of the Madisonville (SR 22) swing span bridge that extended the time between openings from 30 minutes to an hour between 6 a.m. and 7 p.m. daily, and allowed the bridge to remain closed at 8 a.m., 5 p.m., and 6 p.m.. Monday through Friday except federal holidays. During the comment period that closed on January 18, 2017, we received no comments.

LA–DOTD planned to conduct a study of vehicular traffic flow over the bridge as it related to a four way stop sign and traffic light at the intersection of SR 22 and SR 21 during the temporary deviation period. The LA–DOTD planned to complete four separate traffic studies at this intersection: A baseline traffic analysis across the SR 22 bridge with the original regulation and a four-way stop sign in place at the intersection of SR 22 and SR 21, a traffic analysis with the temporary deviation to the regulation and a four-way stop sign in place at the intersection of SR 22 and SR 21, a traffic analysis with the temporary deviation to the regulation and a traffic light in place at the intersection of SR 22 and SR 21, and a traffic analysis with the original regulation and a traffic light in place at the intersection of SR 22 and SR 21. On May 18, 2017, the temporary deviation expired at the end of its scheduled 180 days.

III. Discussion of Comments and Change

On May 26, 2017, LA–DOTD requested that the Coast Guard permanently change the regulation based on information provided in the traffic study, which is available in the docket where indicated under **ADDRESSES**. LA–DOTD also provided supplemental data and information on the population growth in St. Tammany Parish, including information on vehicle traffic counts on SR 22 from 2015, the locations of schools in the vicinity of SR 22 that contribute to vehicle congestion, St. Tammany Parish projected

population growth rates, and residential construction permit growth.

LA–DOTD requested that the regulation change as follows:

> The draw on the SR 22 Bridge, mile 2.5, at Madisonville, shall open on signal from 7 p.m. to 6 a.m. From 6 a.m. to 7 p.m., the draw need only open on the hour, except that the draw need not open for the passage of vessels at 8 a.m., 5 p.m. and 6 p.m. Monday through Friday except federal holidays. The bridge will open at any time an emergency.

LA–DOTD's regulation change request has three components. First, it requests that the Coast Guard extend the daily openings from half-hour intervals to hourly intervals both on weekdays and on weekends. Second, it requests that the bridge stay closed at 8 a.m. on weekdays. Third, it requests that the bridge stay closed at 5 p.m. and 6 p.m. on weekdays.

On December 12, 2017, the Coast Guard informed LA–DOTD by letter that there was still insufficient data or information to correlate bridge openings with traffic flow over this bridge for the hourly interval request and for the 8 a.m. weekday closure request, which is available in the docket where indicated under **ADDRESSES**. The LA–DOTD study did not collect traffic data for the time periods 6 a.m. through 4 p.m., nor did the supplemental data sufficiently address changing the regulation at these times. However, the Coast Guard determined that there is a potential correlation between traffic congestion and bridge openings in the afternoon and that a regulation change may alleviate vehicular traffic while also providing for the reasonable needs of navigation.

IV. Discussion of Proposed Rule

The Coast Guard has reviewed the data and information provided by LA–DOTD and has determined that there is a possible correlation between bridge openings for vessel traffic and vehicular congestion during peak traffic times from 4 p.m. to 6 p.m. Monday through Friday. This supplementary notice of proposed rulemaking (SNPRM) proposes to change the bridge operating schedule and allow the bridge to remain closed to marine traffic at the scheduled openings 4 p.m., 4:30 p.m., 5 p.m., and 5:30 p.m. Monday through Friday except federal holidays. This would allow vehicles to travel unimpeded by bridge openings for a two and a half hour period during peak rush hours along SR 22 near Madisonville, LA. There are no other proposed changes to the operating schedule. The regulatory text we are proposing appears at the end of this document.

V. Regulatory Analyses

We developed this proposed rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on 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 SNPRM has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, the SNPRM 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 a reduction of commercial vessel traffic on this waterway, and the recreational powerboats and sailboats that routinely transit the bridge under the proposed schedule. Those vessels with a vertical clearance requirement of less than 6.2 feet above mean high water may transit the bridge at any time, and the bridge will open in case of emergency at any time. This regulatory action takes into account the reasonable needs of vessel and vehicular traffic.

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 received no comments from the Small Business Administration on the November 4, 2016 NPRM. The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

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

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule. If the proposed 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 proposed rule would 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 proposed 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 proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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 proposed rule would not result in such an expenditure, we do discuss the effects of this proposed rule elsewhere in this preamble.

F. Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined 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 proposed rule involves a change to the operating schedule of a drawbridge. It is categorically excluded from further review under paragraph L49 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 01. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

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.

VI. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at *http://www.regulations.gov*. If your material cannot be submitted using *http://www.regulations.gov,* contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to *http://www.regulations.gov* and will include any personal information you have provided. For more about privacy and the docket, visit *http://www.regulations.gov/privacynotice*.

Documents mentioned in this SNPRM as being available in this docket and all public comments, will be in our online docket at *http://www.regulations.gov* and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1; and Department of Homeland Security Delegation No. 0170.1.

■ 2. Revise § 117.500 to read as follows:

§ 117.500 Tchefuncta River.

The draw of the S22 Bridge, mile 2.5, at Madisonville, LA shall open on signal from 7 p.m. to 6 a.m. From 6 a.m. to 7 p.m. the draw need only open on the hour and half hour, except that:

(a) From 6 a.m. to 9 a.m. Monday through Friday except federal holidays the draw need only open on the hour; and

(b) From 4 p.m. to 5:30 p.m. Monday through Friday except federal holidays the draw need not open.

Dated: June 7, 2018.

Paul F. Thomas,

Rear Admiral, U.S. Coast Guard,Commander, Eighth Coast Guard District.

[FR Doc. 2018–12742 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2018–0054; FRL–9979–42—Region 3]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Interstate Transport Requirements for the 2012 Fine Particulate Matter Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a state implementation plan (SIP) revision submitted by the Commonwealth of Pennsylvania. This revision pertains to the infrastructure requirement for interstate transport of pollution with respect to the 2012 fine particulate matter ($PM_{2.5}$) national ambient air quality standards (NAAQS). EPA is approving this revision in accordance with the requirements of the Clean Air Act (CAA).

DATES: Written comments must be received on or before July 16, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2018–0054 at *http://www.regulations.gov,* or via email to *spielberger.susan@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Joseph Schulingkamp, (215) 814–2021, or by email at *schulingkamp.joseph@epa.gov.*

SUPPLEMENTARY INFORMATION: On July 15, 2014, the Commonwealth of Pennsylvania submitted, through the Department of Environmental Protection (PADEP), a revision to its SIP to address for the 2012 $PM_{2.5}$ NAAQS the elements of CAA section 110(a)(2) with the exception of section 110(a)(2)(D)(i)(I). EPA approved portions of that SIP revision on May 8, 2015. *See* 80 FR 26461. In that action, EPA approved for the 2012 $PM_{2.5}$ NAAQS all elements except for section 110(a)(2)(D)(i)(II) (relating to the protection of visibility, also known as prong 4), for which EPA stated it would take later separate action. Because the July 15, 2014 SIP submittal did not address 110(a)(2)(D)(i)(I) for the 2012 $PM_{2.5}$ NAAQS, EPA took no rulemaking action addressing whether Pennsylvania had addressed that specific element. EPA's previous approval on that July 15, 2014 submittal is not at issue in this proposed rulemaking action and is mentioned herein for background; EPA is not at this time taking action on the remaining section of PADEP's July 15, 2014 submittal relating to visibility protection for the 2012 $PM_{2.5}$ NAAQS.

On October 11, 2017, the Commonwealth of Pennsylvania, through PADEP submitted a SIP revision addressing the infrastructure requirements under section 110(a)(2)(D)(i) of the CAA for the 2012 $PM_{2.5}$ NAAQS.

I. Background

A. General

Particle pollution is a complex mixture of extremely small particles and liquid droplets in the air. When inhaled, these particles can reach the deepest regions of the lungs. Exposure to particle pollution is linked to a variety of significant health problems. Particle pollution also is the main cause of visibility impairment in the nation's cities and national parks. $PM_{2.5}$ can be emitted directly into the atmosphere, or they can form from chemical reactions of precursor gases including sulfur dioxide (SO_2), nitrogen dioxide (NO_2), certain volatile organic compounds (VOC), and ammonia. On January 15, 2013, EPA revised the level of the health based (primary) annual $PM_{2.5}$ standard to 12 micrograms per cubic meter ($\mu g/m^3$). *See* 78 FR 3086.

B. EPA's Infrastructure Requirements

Pursuant to section 110(a)(1) of the CAA, states are required to submit a SIP revision to address the applicable requirements of section 110(a)(2) within three years after promulgation of a new or revised NAAQS or within such shorter period as EPA may prescribe. Section 110(a)(2) requires states to address basic SIP elements to assure attainment and maintenance of the NAAQS—such as requirements for monitoring, basic program requirements, and legal authority. Section 110(a) imposes the obligation upon states to make a SIP submission to EPA for a new or revised NAAQS, but the contents of that submission may vary depending upon the facts and circumstances of each NAAQS and what is in each state's existing SIP. In particular, the data and analytical tools available at the time the state develops and submits the SIP revision for a new or revised NAAQS affect the content of the submission. The content of such SIP submission may also vary depending upon what provisions the state's existing SIP already contains.

Specifically, section 110(a)(1) provides the procedural and timing requirements for SIP submissions. Section 110(a)(2) lists specific elements that states must meet for infrastructure SIP requirements related to a newly established or revised NAAQS such as requirements for monitoring, basic program requirements, and legal authority that are designed to assure attainment and maintenance of the NAAQS.

C. Interstate Pollution Transport Requirements

Section 110(a)(2)(D)(i)(I) of the CAA requires a state's SIP to address any emissions activity in one state that contributes significantly to nonattainment, or interferes with maintenance, of the NAAQS in any downwind state. The EPA sometimes refers to these requirements as prong 1 (significant contribution to nonattainment) and prong 2 (interference with maintenance), or jointly as the ''good neighbor'' provision of the CAA. Further information can be found in the Technical Support Document (TSD) for this rulemaking action, which is available online at *www.regulations.gov,* Docket number EPA–R03–OAR–2018–0054.

II. Summary of SIP Revisions and EPA Analysis

Pennsylvania's October 11, 2017 SIP submittal includes a summary of statewide annual emissions of $PM_{2.5}$, coarse particulate matter (PM_{10}), and precursors of $PM_{2.5}$ including oxides of nitrogen (NO_X), SO_2, ammonia, and VOCs. Pennsylvania also included statewide SO_2 and NO_X emissions specifically from the electric generating units (EGU) sector as EGUs are the largest contributor to the point source emissions. The emissions summary shows that, for the years 2011 through 2015, emissions of all pollutants presented have been steadily decreasing or remained nearly steady for sources that potentially contribute with respect to the 2012 $PM_{2.5}$ NAAQS to nonattainment in, or interfere with maintenance of, any other state. The submittal also included annual $PM_{2.5}$ design values (DVs) in Pennsylvania for the ten most recent years of available data (2006 through 2015).[1]

Pennsylvania also discussed EPA's March 17, 2016 memorandum (2016 $PM_{2.5}$ Memorandum) and the fact that EPA's analysis showed that only one monitor in the eastern United States had projected $PM_{2.5}$ data above the 12.0 $\mu g/m^3$ NAAQS value (Allegheny County, PA).[2] Pennsylvania also generally discussed the direction of prevailing winds as being from west to east and that, due to the sheer distance of 2,000 to 3,000 miles, Pennsylvania should not affect Idaho or California. Additionally, Pennsylvania described several existing SIP-approved measures and other federally enforceable source-specific measures, pursuant to permitting requirements under the CAA, that apply to sources of $PM_{2.5}$ and its precursors within the Commonwealth. Pennsylvania alleges with these measures, emissions reductions, ambient monitored $PM_{2.5}$ data, and meteorological data, the Commonwealth does not significantly contribute to, or interfere with the maintenance of, another state for the 2012 $PM_{2.5}$ NAAQS. A detailed summary of Pennsylvania's submittal and EPA's review and rationale for approval of this SIP revision as meeting CAA section 110(a)(2)(D)(i)(I) for the 2012 $PM_{2.5}$ NAAQS may be found in the TSD for this rulemaking action, which is available online at *www.regulations.gov,* Docket number EPA–R03–OAR–2018–0054.

EPA used the information in the 2016 $PM_{2.5}$ Memorandum and additional information for the evaluation and came to the same conclusion as Pennsylvania. As discussed in greater detail in the

[1] ''Design value'' means the ''calculated concentration according to the applicable appendix of [40 CFR part 50] for the highest site in an attainment or nonattainment area.'' 40 CFR 58.1 (definitions).

[2] ''Information on the Interstate Transport ''Good Neighbor'' Provision for the 2012 Fine Particulate Matter National Ambient Air Quality Standards under Clean Air Act Section 110(a)(2)(D)(i)(I),'' memorandum from Stephan D. Page, Director, EPA Office of Air Quality Planning and Standards.

TSD, EPA identified the potential downwind nonattainment and maintenance receptors identified in the 2016 $PM_{2.5}$ Memorandum, and then evaluated them to determine if Pennsylvania's emissions could potentially contribute to nonattainment and maintenance problems in 2021, the attainment year for moderate $PM_{2.5}$ nonattainment areas for the 2012 $PM_{2.5}$ NAAQS. Specifically, the EPA analysis identified the following areas as potential nonattainment and maintenance receptors: (i) 17 potential receptors in California; (ii) one potential receptor in Shoshone County, Idaho; (iii) data gaps exist for the monitors in four counties in Florida; and (iv) data gaps exist for all monitors in Illinois. For the 17 receptors in California and one potential receptor in Idaho, based on EPA's evaluation of distance and wind direction, EPA proposes to conclude that Pennsylvania's emissions do not significantly impact those receptors. For the four counties in Florida and the monitors in Illinois with data gaps, EPA initially treats those receptors as potential nonattainment or maintenance receptors, but it is unlikely that they will be nonattainment or maintenance receptors in 2021 because the most recent air quality data (from 2015–2017 for Florida and from 2015–2016 for Illinois) indicates that all monitors are likely attaining the $PM_{2.5}$ NAAQS and are therefore unlikely to be nonattainment or maintenance concerns in 2021. Therefore, EPA proposes to conclude that Pennsylvania emissions will not contribute to any of those receptors. For these reasons, EPA is proposing to find that Pennsylvania's existing SIP provisions as identified in the October 11, 2017 SIP submittal are adequate to prevent its emission sources from significantly contributing to nonattainment or interfering with maintenance in another state with respect to the 2012 $PM_{2.5}$ NAAQS.

III. Proposed Action

EPA is proposing to approve the Pennsylvania SIP revision addressing the interstate transport requirements for the 2012 $PM_{2.5}$ NAAQS in CAA section 110(a)(2)(D)(i)(I), which was submitted on October 11, 2017. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 proposed 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);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866.
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule, regarding Pennsylvania's interstate transport SIP for the 2012 $PM_{2.5}$ NAAQS, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter.

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

Dated: June 5, 2018.

Cosmo Servidio,

Regional Administrator, Region III.

[FR Doc. 2018–12706 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R03–OAR–2018–0217; EPA–R03–OAR–2014–0299; EPA–R03–OAR–2016–0373; FRL–9979–39—Region 3]

Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Regional Haze Plan and Visibility Requirements for the 2010 Sulfur Dioxide and the 2012 Fine Particulate Matter Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a state implementation plan (SIP) revision submitted by the State of West Virginia (West Virginia) to change reliance on the Clean Air Interstate Rule (CAIR) to reliance on the Cross-State Air Pollution Rule (CSAPR) with the purpose of addressing certain regional haze requirements and visibility protection requirements for the 2010 sulfur dioxide (SO_2) national ambient air quality standards (NAAQS). Upon EPA's final approval of this SIP revision, EPA is proposing to convert the Agency's June 7, 2012 limited approval/limited disapproval of West Virginia's regional haze SIP to a full approval; and EPA is proposing to remove the federal implementation plan (FIP) for West Virginia issued to address deficiencies previously identified in the Agency's limited approval/limited disapproval of the State's regional haze SIP revision. In addition, EPA is proposing to approve the portions of two previous SIP revisions submitted by West Virginia to address visibility protection requirements for the 2010 SO_2 and the 2012 particulate matter ($PM_{2.5}$) NAAQS. These proposed actions are supported by EPA's recent final determination that a state's participation in CSAPR continues to meet EPA's regional haze criteria to qualify as an alternative to the application of best available retrofit

technology (BART). This action is being taken under the Clean Air Act (CAA).

DATES: Written comments must be received on or before July 16, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R03–OAR–2018–0217; EPA–R03–OAR–2014–0299; and/or EPA–R03–OAR–2016–0373 at *http://www.regulations.gov,* or via email to *spielberger.susan@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*. For either manner of submission, EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be confidential business information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.,* on the web, cloud, or other file sharing system). For additional submission methods, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *http://www2.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Emlyn Vélez-Rosa, (215) 814–2038, or by email at *velez-rosa.emlyn@epa.gov.*

SUPPLEMENTARY INFORMATION: On September 16, 2015, the State of West Virginia via the West Virginia Department of Environmental Protection (WVDEP) submitted a revision to update its regional haze plan and to meet the visibility protection requirements in section 110(a)(2)(D) of the CAA.

I. Background

A. Regional Haze and the Relationship With CAIR and CSAPR

In section 169A of the 1977 Amendments to the CAA, Congress created a program for protecting visibility in the nation's national parks and wilderness areas. This section of the CAA establishes ''as a national goal the prevention of any future, and the remedying of any existing, impairment of visibility in mandatory Class I federal areas which impairment results from manmade air pollution.'' [1] On December 2, 1980, EPA promulgated regulations to address visibility impairment in Class I areas that are reasonably attributable to a single source or small group of sources.[2] Then, in 1990 Congress added section 169B to the CAA to address regional haze issues. EPA subsequently promulgated regulations pursuant to section 169B to address regional haze, known as the Regional Haze Rule.[3] The Regional Haze Rule focuses on visibility impairment that is caused by the emission of air pollutants from numerous sources located over a wide geographic area, requiring states to establish goals and emission reduction strategies for improving visibility in Class I areas.

The CAA requires each state to develop, and submit for approval by EPA, a SIP to meet various air quality requirements, including the protection of visibility in Class I areas.[4] Section 169A(b)(2) of the CAA requires that applicable states [5] SIPs must contain such emission limits, schedules of compliance and other measures as may be necessary to make reasonable progress toward meeting the national visibility goal. Such measures include the application of BART by any BART-eligible sources [6] that emit air pollutants such as SO_2 and nitrogen oxides (NO_X) [7] that may reasonably be anticipated to cause or contribute to visibility impairment in a Class I area. The BART provisions of the Regional Haze Rule generally direct states to follow these steps to address the BART requirements: (1) Identify all BART-eligible sources; (2) determine which of those sources may reasonably be anticipated to cause or contribute to visibility impairment in a Class I area, and are therefore subject to BART requirements; (3) determine source-specific BART for each source that is subject to BART requirements; and (4) include the emission limitations reflecting those BART determinations in their SIPs.[8] However, the Regional Haze Rule also provides states with the flexibility to adopt an emissions trading program or other alternative program instead of requiring source-specific BART controls, as long as the alternative provides greater reasonable progress towards the national goal of achieving natural visibility conditions in Class I areas than BART. *See* 40 CFR 51.308(e)(2).

In a 2005 revision to the Regional Haze Rule,[9] EPA demonstrated that CAIR [10] would achieve greater reasonable progress than BART. This is often referred to as the CAIR-better-than-BART determination. Based on this determination, EPA amended its regulations so that states participating in the CAIR cap-and trade programs under 40 CFR part 96 pursuant to an EPA approved CAIR SIP, or states that remain subject to a CAIR federal trading program under 40 CFR part 97, need not require affected BART-eligible electric generating units (EGUs) to install, operate, and maintain BART for emissions of SO_2 and NO_X. *See* 40 CFR 51.308(e)(4). Several states subject to CAIR, including West Virginia, relied on the CAIR cap-and-trade programs as an alternative to BART to achieve greater reasonable progress towards national visibility goals for their first SIP revision submitted to address regional haze.[11]

In July 2008, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) vacated CAIR.[12] In December 2008, the D.C. Circuit remanded CAIR back to EPA without vacatur while a replacement rule consistent with the Court's opinion was developed.[13] On August 8, 2011 (76 FR 48208), EPA promulgated CSAPR to replace CAIR and issued federal trading programs to implement the rule in the

[1] 42 U.S.C. 7491(a). Mandatory Class I federal areas are defined as national parks exceeding 6,000 acres, wilderness areas and national memorial parks exceeding 5,000 acres, and all international parks that were in existence on August 7, 1977. 42 U.S.C. 7472(a). In accordance with section 169A of the CAA, EPA, in consultation with the Department of Interior, promulgated a list of 156 mandatory Class I federal areas where visibility is identified as an important value. 44 FR 69122 (November 30, 1979). When we use the term Class I area in this action, we mean a mandatory Class I federal area.

[2] These regulations are the reasonably attributable visibility impairment (RAVI) provisions. 45 FR 80084 (December 2, 1980).

[3] 64 FR 35714, 35714 (July 1, 1999) (codified at 40 CFR part 51, subpart P).

[4] 42 U.S.C. 7410(a), 7491, and 7492(a), CAA sections 110(a), 169A, and 169B.

[5] States that have a federal Class I area, listed by the Administrator under subsection 169A(a)(2) of the CAA, and/or states from which the emissions may reasonably be anticipated to cause or contribute to any impairment of visibility in any federal Class I area.

[6] A BART-eligible source is any one of the 26 specified source categories listed in appendix Y to 40 CFR part 51, Guidelines for BART Determinations Under the Regional Haze Rule.

[7] SO_2 and NO_X are considered the most significant visibility impairing pollutants.

[8] 40 CFR 51.308(e)(1).

[9] 70 FR 39104 (July 6, 2005).

[10] CAIR involved the District of Columbia and 27 eastern states, including West Virginia, in several regional cap and trade programs to reduce SO_2 and NO_X emissions that contribute to the nonattainment or interfere with the maintenance of the 1997 ozone and $PM_{2.5}$ NAAQS. 70 FR 25162 (May 12, 2005).

[11] West Virginia submitted a comprehensive regional haze SIP revision on June 18, 2008.

[12] *North Carolina* v. *EPA,* 531 F.3d 896 (D.C. Cir. 2008).

[13] *North Carolina* v. *EPA,* 550 F.3d 1176 (D.C. Cir. 2008).

states subject to CSAPR.[14] CSAPR was to become effective January 1, 2012; however, as discussed later, the timing of CSAPR's implementation was impacted by a number of court actions.

After promulgating CSAPR, EPA conducted a technical analysis to determine whether compliance with CSAPR would satisfy the requirements of the Regional Haze Rule addressing alternatives to BART. In a June 7, 2012 action, EPA amended the Regional Haze Rule to provide that participation by a state's EGUs in a CSAPR trading program for a given pollutant—either a CSAPR federal trading program or an integrated CSAPR state trading program implemented through an approved CSAPR SIP revision—qualifies as a BART alternative for those EGUs for that pollutant.[15] *See* 40 CFR 51.308(e)(4). Since EPA promulgated this amendment, both states and EPA have relied on the CSAPR-better-than-BART determination to satisfy the BART requirements for states that participate in CSAPR.[16]

Numerous parties filed petitions for review of CSAPR in the D.C. Circuit, and on August 21, 2012, the court issued its ruling, vacating and remanding CSAPR to EPA and ordering continued implementation of CAIR.[17] The D.C. Circuit's vacatur of CSAPR was reversed by the United States Supreme Court on April 29, 2014, and the case was remanded to the D.C. Circuit to resolve remaining issues in accordance with the high court's ruling.[18] On remand, the D.C. Circuit affirmed CSAPR in most respects, but invalidated without vacating some of the CSAPR budgets to a number of states.[19] The remanded budgets included the Phase 2 SO_2 emissions budgets for four states and the Phase 2 ozone-season NO_X budgets for 11 states, including those for West Virginia. The D.C. Circuit litigation ultimately delayed implementation of CSAPR for three years, from January 1, 2012, when CSAPR's cap-and-trade programs were originally scheduled to replace the CAIR cap-and-trade programs, to January 1, 2015.[20] Thus, the rule's Phase 2 budgets that were originally promulgated to begin on January 1, 2014 began on January 1, 2017 instead. EPA has now taken all actions necessary to respond to the D.C. Circuit's remand of the various CSAPR budgets. On September 29, 2017, EPA finalized a determination that the changes to the scope of CSAPR coverage following the remand of certain of the budgets by the D.C. Circuit do not alter EPA's conclusion that CSAPR remains better-than-BART. In sum, EGU participation in a CSAPR trading program remains available as an alternative to BART for states participating in CSAPR.

B. Partial Regional Haze Federal Implementation Plan

On March 23, 2012, EPA finalized a limited approval and a limited disapproval of a SIP revision submitted by WVDEP on June 18, 2008 addressing regional haze program requirements.[21] The limited disapproval of this SIP revision was based upon West Virginia's reliance on CAIR as an alternative to BART and as a measure for reasonable progress. On June 7, 2012, EPA finalized a determination that for states covered by CSAPR, including West Virginia, CSAPR achieves greater reasonable progress towards the national visibility goals in Class I areas than source-specific BART. In this same June 7, 2012 action, EPA also promulgated FIPs that replaced reliance on CAIR with reliance on CSAPR to meet BART and reasonable progress requirements, to address deficiencies in CAIR-dependent regional haze SIPs for several states, including West Virginia.[22] Consequently, for West Virginia and other states, this particular aspect of their regional haze requirements was satisfied by EPA's issuance of a FIP (hereafter referred to as partial RH FIP).

On September 16, 2015, the State of West Virginia submitted a revision to its Regional Haze SIP to change its present reliance from CAIR to CSAPR for the purpose of meeting BART for regional haze and addressing reasonable progress requirements, thereby eliminating West Virginia's need for the partial RH FIP. The SIP revision was also submitted to meet outstanding visibility protection requirements under section 110(a)(2)(D)(i)(II) of the CAA for the 2010 SO_2 NAAQS.

C. Section 110(a)(2)(D)(i)(II) Prong 4 Requirement

The CAA requires states to submit, within three years after promulgation of a new or revised NAAQS, SIP revisions meeting the applicable elements of sections 110(a)(1) and (2). SIP revisions that are intended to meet the requirements of section 110(a) of the CAA are often referred to as infrastructure SIPs and the elements under 110(a) are referred to as infrastructure requirements. Several of these applicable elements are delineated within section 110(a)(2)(D)(i) of the CAA. Section 110(a)(2)(D)(i) requires SIPs to contain adequate provisions to prohibit emissions in that state from having certain adverse air quality effects on neighboring states due to interstate transport of air pollution. There are four prongs within section 110(a)(2)(D)(i) of the CAA; section 110(a)(2)(D)(i)(I) contains prongs 1 and 2, while section 110(a)(2)(D)(i)(II) includes prongs 3 and 4. This rulemaking action addresses prong 4 which is related to interference with measures by another state to protect visibility. Prong 4 requires that a state's SIP include adequate provisions prohibiting any source or other type of emissions activity in one state from interfering with measures to protect visibility required to be included in another state's SIP. One way in which prong 4 can be satisfied is if a state has a fully approved regional haze program within its SIP.[23]

As part of its September 16, 2015 SIP submittal, which is the subject of this rulemaking action, West Virginia demonstrates it should receive full approval of its regional haze SIP with the switch to reliance upon CSAPR and requests amending the portion of its October 16, 2014 infrastructure SIP submission for the 2010 SO_2 NAAQS to address the prong 4 requirement for visibility protection for this NAAQS. West Virginia's infrastructure SIP revision submittal for the 2012 $PM_{2.5}$ NAAQS, submitted to EPA subsequently on May 12, 2017, refers to the

[14] CSAPR is a regional cap-and-trade program meant to replace CAIR. Similar to CAIR, it is focused on eastern states (including West Virginia) and requires participants to limit their statewide emissions of SO_2 and/or NO_X in order to mitigate transported air pollution unlawfully impacting another state's ability to attain or maintain the following NAAQS: 1997 ozone and $PM_{2.5}$ NAAQS, the 2006 $PM_{2.5}$ NAAQS, and the 2008 ozone NAAQS.

[15] 77 FR 33656 (June 7, 2012).

[16] The D.C. Circuit recently upheld EPA's CSAPR-better-than-BART determination. *See Utility Air Regulatory Group* v. *EPA,* No. 12–1342 (D.C. Cir. March 20, 2018).

[17] *EME Homer City Generation, L.P.* v. *EPA,* 696 F.3d 7, 38 (D.C. Cir. 2012).

[18] *EPA* v. *EME Homer City Generation, L.P.,* 134 S. Ct. 1584 (2014).

[19] *EME Homer City Generation, L.P.* v. *EPA,* 795 F.3d 118 (D.C. Cir. 2015).

[20] Following the April 2014 Supreme Court decision, EPA filed a motion asking the D.C. Circuit to delay, by three years, all CSAPR compliance deadlines that had not passed as of the approval date of the stay on CSAPR. On October 23, 2014, the D.C. Circuit granted EPA's request, and on December 3, 2014 (79 FR 71663), in an interim final rule, EPA set the updated effective date of CSAPR as January 1, 2015 and delayed the implementation of CSAPR Phase 1 to 2015 and CSAPR Phase 2 to 2017. In accordance with the interim final rule, the sunset date for CAIR was December 31, 2014, and EPA began implementing CSAPR on January 1, 2015.

[21] 77 FR 16937 (March 23, 2012).

[22] 77 FR 33643 (June 7, 2012).

[23] ''Guidance on Infrastructure State Implementation Plan (SIP) Elements under Clean Air Act Sections 110(a)(1) and 110(a)(2),'' Memorandum from Stephen D. Page, September 13, 2013.

September 16, 2015 SIP submittal to address prong 4 for visibility protection for the 2012 $PM_{2.5}$ NAAQS. Because West Virginia did not have a fully approved regional haze program at the time EPA took action to approve the infrastructure SIPs for the 2010 SO_2 and 2012 $PM_{2.5}$ NAAQS, EPA determined that it would take separate action on the prong 4 portions of the October 16, 2014 SIP submission for the 2010 SO_2 NAAQS and of the May 12, 2017 SIP submission for the 2012 $PM_{2.5}$ NAAQS, at a later date.[24]

II. Summary of SIP Revision and EPA Analysis

West Virginia submitted a SIP revision on September 16, 2015 to correct its regional haze and visibility protection deficiencies. West Virginia submitted the September 16, 2015 SIP revision seeking to correct the deficiencies identified in EPA's July 13, 2011 limited disapproval action, by replacing reliance on CAIR with reliance on CSAPR in its regional haze SIP.[25] Specifically, the September 16, 2015 submittal changes the West Virginia regional haze program to state that West Virginia is relying on CSAPR in its regional haze SIP to meet the BART and reasonable progress requirements to support visibility improvement progress goals for West Virginia's Class I areas, Dolly Sods and Otter Creek Wilderness Areas.

Additionally, the September 16, 2015 submittal revises the prong 4 portion of the infrastructure SIP revision for the 2010 SO_2 NAAQS, which had been submitted on October 16, 2014, to address this visibility protection requirement in CAA section 110(a)(2)(D)(i)(II). At the time of this SIP submittal, West Virginia did not have a fully approved regional haze program as the Agency had issued a limited disapproval of the State's regional haze plan on July 13, 2011, due to its reliance on CAIR. Subsequently, West Virginia submitted to EPA on May 12, 2017 a SIP revision regarding the infrastructure requirements in CAA section 110(a)(2) for the 2012 $PM_{2.5}$ NAAQS. In order to meet prong 4 for the 2012 $PM_{2.5}$ NAAQS, this May 12, 2017 submittal referred to West Virginia's September 16, 2015 regional haze SIP submittal to address the prong 4 requirement in CAA section 110(a)(2)(D)(i)(II).

The State's September 16, 2015 regional haze SIP revision replaces reliance upon CAIR for reliance upon CSAPR to address the deficiencies identified in EPA's limited disapproval of West Virginia's regional haze SIP.[26] EPA is proposing to find that this revision would satisfy the NO_X and SO_2 BART and reasonable progress requirements for EGUs in West Virginia and therefore make West Virginia's regional haze program fully approvable. Upon EPA's final approval of this SIP, West Virginia will have a SIP in place to address all of its regional haze requirements. Therefore, EPA is proposing to find that West Virginia's reliance in its SIP upon CSAPR for certain BART and reasonable progress requirements is in accordance with the CAA and Regional Haze Rule requirements (including 40 CFR 51.308(e)(2)) as EPA has recently affirmed that CSAPR remains better-than-BART for regional haze requirements.[27] Because West Virginia's approved regional haze SIP will address EGU BART and reasonable progress requirements upon final approval of the September 16, 2015 SIP submission, EPA is proposing to convert the Agency's prior limited disapproval/limited approval of West Virginia's regional haze SIP to a full approval. EPA is also proposing to remove EPA's June 7, 2012 partial RH FIP for West Virginia, which replaced reliance on CAIR with reliance on CSAPR to address the previously deficient regional haze requirements. Additionally, EPA is proposing to approve the prong 4 portion of West Virginia's October 16, 2014 SIP submission, as revised by the September 16, 2015 regional haze submittal, for the 2010 SO_2 NAAQS and to approve the prong 4 portion of the May 12, 2017 SIP submission for the 2012 $PM_{2.5}$ NAAQS, which refers to the September 16, 2015 regional haze submittal, as the West Virginia SIP will now meet prong 4 visibility requirements of the CAA with a fully approved regional haze SIP.[28]

III. Proposed Action

EPA is proposing to take the following actions: (1) Approve West Virginia's September 16, 2015 SIP submission to change reliance on CAIR to reliance on CSAPR for certain elements of West Virginia's regional haze program; (2) convert EPA's limited approval/limited disapproval of West Virginia's regional haze program to a full approval; (3) approve West Virginia's October 16, 2014 SIP submission, as revised September 16, 2015, as satisfying prong 4 regarding visibility protection for the 2010 SO_2 NAAQS; (4) approve West Virginia's May 12, 2017 infrastructure SIP submission, referring to the September 16, 2015 regional haze SIP submission, as satisfying prong 4 regarding visibility protection for the 2012 $PM_{2.5}$ NAAQS; and (5) remove West Virginia's partial regional haze FIP which replaced certain regional haze requirements as these requirements will now be contained within the West Virginia regional haze SIP upon final approval of the September 16, 2015 SIP submittal. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA 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 proposed 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);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866.
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have federalism implications as specified in Executive

[24] *See* 79 FR 62022 (October 16, 2014) and 82 FR 22076 (May 12, 2017).

[25] West Virginia was included in the CSAPR federal trading programs on August 8, 2011. 76 FR 48208.

[26] In this respect, the September 16, 2015 SIP submission therefore mirrors the requirements from EPA's partial RH FIP for West Virginia.

[27] *See* 82 FR 45481 (September 29, 2017) (reaffirming CSAPR better-than-BART). *See Utility Air Regulatory Group* v. *EPA,* No. 12–1342 (D.C. Cir. March 20, 2018) (upholding CSAPR as better-than-BART).

[28] All other applicable infrastructure requirements under section 110(a)(2) for the West Virginia's infrastructure SIP submissions for the 2010 SO_2 NAAQS and the 2012 $PM_{2.5}$ NAAQS have been or will be addressed in separate rulemakings.

Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this proposed rule, addressing West Virginia's regional haze requirements and visibility protection for the 2010 SO_2 and 2012 $PM_{2.5}$ NAAQS and the withdrawal of the West Virginia regional haze regional FIP, does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law. In addition, pursuant to CAA section 307(d)(1)(B), EPA proposes to determine that this action is subject to the provisions of section 307(d). Section 307(d) establishes procedural requirements specific to certain rulemaking actions under the CAA. Furthermore, section 307(d)(1)(V) of the CAA provides that the provisions of section 307(d) apply to ''such other actions as the Administrator may determine.'' EPA proposes that the provisions of 307(d) apply to EPA's action on the West Virginia SIP revision. The withdrawal of the provisions of the West Virginia regional haze regional FIP is subject to the requirements of CAA section 307(d), as it constitutes a revision to a FIP under section 110(c) of the CAA.

List of Subjects in 40 CFR Part 52

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

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

Dated: May 30, 2018.

Cosmo Servidio,

Regional Administrator, Region III.

[FR Doc. 2018–12812 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2018–0282; FRL–9979–34—Region 9]

Approval of Air Plan Revisions; Approvals and Promulgations: California; Placer County Air Pollution Control District; Stationary Source Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a revision to the Placer County Air Pollution Control District (PCAPCD) portion of the California State Implementation Plan (SIP). This revision concerns the District's Prevention of Significant Deterioration (PSD) permitting program for new and modified sources of air pollution. We are proposing action on a local rule under the Clean Air Act as amended in 1990 (CAA or the Act). We are taking comments on this proposal and plan to follow with a final action.

DATES: Any comments must arrive by July 16, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R09–OAR–2018–0282 at *http://www.regulations.gov,* or via email to Laura Yannayon, at *yannayon.laura@epa.gov.* For comments submitted at *Regulations.gov*, follow the online instructions for submitting comments. Once submitted, comments cannot be removed or edited from *Regulations.gov*. For either manner of submission, 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Laura Yannayon, EPA Region IX, (415) 972–3534, *yannayon.laura@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to the EPA.

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I. The State's Submittal

A. What rule did the State submit?

Table 1 lists the rule addressed by this proposal with the dates that it was amended by the PCAPCD and submitted by the California Air Resources Board (CARB), which is the governor's designee for California SIP submittals.

TABLE 1—SUBMITTED RULE

Rule No.	Rule title	Adopted or amended	Submitted
518	Prevention of Significant Deterioration (PSD) Permit Program	10/13/16	1/24/17

On April 17, 2017, the EPA determined that CARB's January 24, 2017, SIP submittal package conformed to the completeness criteria in 40 CFR part 51, appendix V, which must be met before formal EPA review.

B. Are there other versions of this rule?

The current SIP-approved version of Rule 518—*Prevention of Significant Deterioration (PSD) Permit Program* was approved by EPA on December 10, 2012. 77 FR 73316.

C. What is the purpose of the submitted rule?

Section 110(a)(2)(C) of the CAA requires states to submit regulations that include a preconstruction permit program for certain new or modified stationary sources of pollutants, including a permit program as required by part C of title I of the CAA. This part, and the EPA's implementing regulations at 40 CFR 51.166, provide requirements for the prevention of significant deterioration (PSD) program, which applies to new and modified major sources of regulated New Source Review pollutants located in areas that are designated attainment or unclassifiable for those pollutants.

Rule 518 implements the federal PSD permit program for Placer County. The submitted rule has been revised to update and clarify the rule. See our technical support document (TSD), which can be found in the docket for this rule, for additional information about the rule and rule revisions.

II. The EPA's Evaluation and Action

A. How is the EPA evaluating the rule?

The submitted rule must meet the CAA's general requirements for SIPs and SIP revisions in CAA sections 110(a)(2) and 110(l) as well as the applicable requirements for a PSD permit program contained in part C of title I of the Act and 40 CFR 51.166.

Section 110(a)(2)(A) of the Act requires that SIP rules be enforceable. Section 110(l) provides that the EPA may not approve a SIP revision if it would interfere with any applicable requirements concerning attainment and reasonable further progress or any other applicable requirement of the CAA. In addition, section 110(a)(2) and section 110(l) of the Act require that each SIP or revision to a SIP submitted by a state must be adopted after reasonable notice and public hearing.

Part C of title I of the Act contains the general permit requirements for new major sources and major modifications proposing to construct in attainment areas. Additionally, 40 CFR 51.166 sets forth the EPA's regulatory requirements for SIP approval of a PSD permit program.

B. Does the rule meet the evaluation criteria?

The EPA has reviewed the submitted rule in accordance with the rule evaluation criteria described above. With respect to the procedural requirements at CAA sections 110(a)(2) and 110(l), we are proposing to approve the submitted rule because we have determined, based on our review of the public process documentation included in the January 24, 2017 submittal, that the PCAPCD has provided sufficient evidence of public notice and opportunity for comment and public hearing prior to adoption and submittal of this rule.

With respect to the rest of the evaluation criteria, we are proposing to approve the submitted rule because we have determined that the rule satisfies the substantive statutory and regulatory requirements for a PSD permit program as set forth in the applicable provisions of part C of title I of the Act and in 40 CFR 51.166. This determination is based on our review of Rule 518 and clarifying information provided by the District in a letter dated May 22, 2018 (available in the docket for this action). Our TSD for this action contains a more detailed discussion of our evaluation.

C. The EPA's Proposed Action and Public Comment

As authorized in section 110(k)(3) of the Act, the EPA proposes to fully approve the submitted rule because it fulfills all relevant requirements. We will accept comments from the public on this proposal until July 16, 2018. If we take final action to approve the submitted rule, our final action will incorporate this rule into the Placer County portion of the California SIP.

III. Incorporation by Reference

In this rule, the 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, the EPA is proposing to incorporate by reference the PCAPCD rule described in Table 1 of this preamble. The EPA has made, and will continue to make, these materials available through *www.regulations.gov* and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

IV. Statutory and Executive Order Reviews

Under the Clean Air Act, 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, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely proposes to approve state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed 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);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide the EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the 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).

List of Subjects in 40 CFR Part 52

Air pollution control, Environmental protection, Incorporation by reference, Intergovernmental relations, New source review, Reporting and recordkeeping requirements.

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

Dated: June 4, 2018.

Michael Stoker,

Regional Administrator, Region IX.

[FR Doc. 2018–12711 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[EPA–HQ–OAR–2018–0172; FRL–9979–33–OAR]

RIN 2060–AT91

Relaxation of the Federal Reid Vapor Pressure (RVP) Gasoline Volatility Standard for Baton Rouge, Louisiana

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve a request from Louisiana for EPA to relax the federal Reid Vapor Pressure (RVP) standard applicable to gasoline introduced into commerce from June 1 to September 15 of each year for the Louisiana parishes of East Baton Rouge, West Baton Rouge, Livingston, Ascension, and Iberville (the Baton Rouge area). Specifically, EPA is proposing to amend the regulations to allow the RVP standard for the Baton Rouge area to change from 7.8 pounds per square inch (psi) to 9.0 psi for gasoline. EPA has preliminarily determined that this change to the federal RVP regulation is consistent with the applicable provisions of the Clean Air Act (CAA).

DATES: Written comments must be received on or before July 16, 2018 unless a public hearing is requested by June 29, 2018. If EPA receives such a request, we will publish information related to the timing and location of the hearing and a new deadline for public comment.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2018–0172, to the *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. 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 disclosure of which is restricted by statute. If you need to include CBI as part of your comment, please visit *https://www.epa.gov/dockets/commenting-epa-dockets* for instructions. 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.

For additional submission methods, the full EPA public comment policy, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets.*

FOR FURTHER INFORMATION CONTACT: Dave Sosnowski, Office of Transportation and Air Quality, Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, Michigan, 48105; telephone number: (734) 214–4823; fax number: (734) 214–4052; email address: *sosnowski.dave@epa.gov.* You may also contact Rudolph Kapichak at the same address; telephone number: (734) 214–4574; fax number: (734) 214–4052; email address: *kapichak.rudolph@epa.gov.*

SUPPLEMENTARY INFORMATION: The contents of this preamble are listed in the following outline:

I. General Information
II. Public Participation
III. Background and Proposal
IV. Statutory and Executive Order Reviews
V. Legal Authority

I. General Information

A. Does this action apply to me?

Entities potentially affected by this proposed rule are fuel producers and distributors involved in the supplying of gasoline to the Baton Rouge area.

Examples of potentially regulated entities	NAICS [1] codes
Petroleum Refineries	324110
Gasoline Marketers and Distributors	424710 424720
Gasoline Retail Stations	447110
Gasoline Transporters	484220 484230

[1] North American Industry Classification System.

The above table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. The table lists the types of entities of which EPA is aware that potentially could be affected by this proposed rule. Other types of entities not listed on the table could also be affected. To determine whether your organization could be affected by this proposed rule, you should carefully examine the regulations in 40 CFR 80.27. If you have questions regarding the applicability of this action to a particular entity, call the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this preamble.

B. What is the Agency's authority for taking this action?

The statutory authority for this action is granted to EPA by sections 211(h) and 301(a) of the CAA, as amended; 42 U.S.C. 7545(h) and 7601(a).

II. Public Participation

EPA will not hold a public hearing on this matter unless a request is received by the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble by June 29, 2018. If EPA receives such a request, we will publish information related to the timing and location of the hearing and a new deadline for public comment.

III. Background and Proposal

A. Summary of the Proposal

EPA is proposing to approve a request from Louisiana to change the summertime federal RVP standard for the parishes of East Baton Rouge, West Baton Rouge, Livingston, Ascension, and Iberville (henceforth ''the Baton Rouge area'') from 7.8 psi to 9.0 psi by amending EPA's regulations at 40 CFR 80.27(a)(2). On April 10, 2017, the Louisiana Department of Environmental Quality (LDEQ or State) requested a relaxation of the federal RVP requirements. Before EPA could act on LDEQ's request, the State needed to revise its approved section 175A maintenance plan and demonstrate that relaxing the federal RVP requirement from 7.8 psi to 9.0 psi for gasoline sold from June 1 to September 15 of each year in the Baton Rouge area would not interfere with maintenance of any NAAQS, including the 2008 and 2015 ozone NAAQS, or any other applicable CAA requirement, under CAA section 110(l). This demonstration was performed and a revised maintenance plan was submitted to EPA for approval on January 31, 2018. On April 13, 2018, EPA proposed approval of Louisiana's maintenance revision and non-interference demonstration for the 2008 ozone NAAQS (83 FR 16017); EPA

finalized its approval on May 25, 2018 (83 FR 24226).

The preamble for this rulemaking is organized as follows: Section III.B. provides the history of the federal gasoline volatility regulation. Section III.C. describes the policy regarding relaxation of gasoline volatility standards in ozone nonattainment areas that are redesignated as attainment areas. Section III.D. provides information specific to Louisiana's request for the Baton Rouge area.

B. History of the Gasoline Volatility Requirement

On August 19, 1987 (52 FR 31274), EPA determined that gasoline nationwide was becoming increasingly volatile, causing an increase in evaporative emissions from gasoline-powered vehicles and equipment. Evaporative emissions from gasoline, referred to as volatile organic compounds (VOC), are precursors to the formation of tropospheric ozone and contribute to the nation's ground-level ozone problem. Exposure to ground-level ozone can reduce lung function, thereby aggravating asthma and other respiratory conditions, increase susceptibility to respiratory infection, and may contribute to premature death in people with heart and lung disease.

The most common measure of fuel volatility that is useful in evaluating gasoline evaporative emissions is RVP. Under CAA section 211(c), EPA promulgated regulations on March 22, 1989 (54 FR 11868) that set maximum limits for the RVP of gasoline sold during the regulatory control periods that were established on a state-by-state basis in that final rule. The regulatory control periods addressed the portion of the year when peak ozone concentrations were expected. These regulations constituted Phase I of a two-phase nationwide program, which was designed to reduce the volatility of gasoline during the high ozone season. On June 11, 1990 (55 FR 23658), EPA promulgated more stringent volatility controls as Phase II of the volatility control program. These requirements established maximum RVP standards of 9.0 psi or 7.8 psi (depending on the state, the month, and the area's initial ozone attainment designation with respect to the 1-hour ozone NAAQS).

The 1990 CAA Amendments established a new CAA section 211(h) to address fuel volatility. CAA section 211(h) requires EPA to promulgate regulations making it unlawful to sell, offer for sale, dispense, supply, offer for supply, transport, or introduce into commerce gasoline with an RVP level in excess of 9.0 psi during the high ozone season. CAA section 211(h) also prohibits EPA from establishing a volatility standard more stringent than 9.0 psi in an attainment area, except that EPA may impose a lower (more stringent) standard in any former ozone nonattainment area redesignated to attainment.

On December 12, 1991 (56 FR 64704), EPA modified the Phase II volatility regulations to be consistent with CAA section 211(h). The modified regulations prohibited the sale of gasoline with an RVP above 9.0 psi in all areas designated attainment for ozone, effective January 13, 1992. For areas designated as nonattainment, the regulations retained the original Phase II standards published on June 11, 1990 (55 FR 23658), which included the 7.8 psi ozone season limitation for certain areas. As stated in the preamble to the Phase II volatility controls and reiterated in the proposed change to the volatility standards published in 1991, EPA will rely on states to initiate changes to their respective volatility programs. EPA's policy for approving such changes is described below in Section III.C.

C. Relaxation of Gasoline Volatility Standards in Ozone Nonattainment Areas That Are Redesignated to Attainment

As stated in the preamble for EPA's amended Phase II volatility standards (56 FR 64706), any change in the gasoline volatility standard for a nonattainment area that was subsequently redesignated as an attainment area must be accomplished through a separate rulemaking that revises the applicable standard for that area. Thus, for former 1-hour ozone nonattainment areas where EPA mandated a Phase II volatility standard of 7.8 psi RVP in the December 12, 1991 rulemaking, the federal 7.8 psi gasoline RVP requirement remains in effect, even after such an area is redesignated to attainment, until a separate rulemaking is completed that relaxes the federal gasoline RVP standard in that area from 7.8 psi to 9.0 psi.

As explained in the December 12, 1991 rulemaking, EPA believes that relaxation of an applicable gasoline RVP standard is best accomplished in conjunction with the redesignation process. In order for an ozone nonattainment area to be redesignated as an attainment area, CAA section 107(d)(3) requires the state to make a showing, pursuant to CAA section 175A, that the area is capable of maintaining attainment for the ozone NAAQS for ten years. Depending on the area's circumstances, this maintenance plan will either demonstrate that the area is capable of maintaining attainment for ten years without the more stringent volatility standard or that the more stringent volatility standard may be necessary for the area to maintain its attainment with the ozone NAAQS. Therefore, in the context of a request for redesignation, EPA will not relax the gasoline volatility standard unless the state requests a relaxation and the maintenance plan demonstrates that the area will maintain attainment for ten years without the need for the more stringent volatility standard. Similarly, a maintenance plan may be revised to relax the gasoline volatility standard if the state requests a relaxation and the maintenance plan demonstrates that the area will maintain attainment for the duration of the maintenance plan.

D. Louisiana's Request To Relax the Federal Gasoline RVP Requirement for the Baton Rouge Area

On April 10, 2017, LDEQ submitted a request to relax the federal gasoline RVP requirement in 16 parishes throughout the State, including the 5 parishes making up the Baton Rouge area. RVP relaxation for 11 of the parishes covered by the April 10, 2017 request was approved on December 26, 2017 (82 FR 60886). Louisiana did not request relaxation of the federal RVP standard from 7.8 psi to 9.0 psi when LDEQ originally submitted the CAA section 175A maintenance plan for the Baton Rouge area for the 2008 ozone NAAQS that was approved on December 27, 2016 (81 FR 95051). Therefore, LDEQ was required to revise the approved maintenance plan and to submit a CAA section 110(l) non-interference demonstration for the 5-parish Baton Rouge area to support the request to relax the federal RVP standard. Therefore, action on the 5-parish Baton Rouge area was deferred until LDEQ submitted (and EPA approved) a maintenance plan revision and CAA section 110(l) non-interference demonstration showing that the relaxation would not interfere with maintenance of the 2008 and 2015 ozone NAAQS or any other applicable CAA requirement.

On January 30, 2018, Louisiana submitted a CAA section 175A maintenance plan revision and section 110(l) non-interference demonstration to EPA. EPA finalized its approval of the maintenance plan revision and demonstration on May 25, 2018 (83 FR 24226). As part of the rulemaking on Louisiana's submission, EPA included a detailed evaluation of the maintenance

plan revision and the CAA section 110(l) demonstration.

In today's action, EPA is proposing to approve Louisiana's request to relax the summertime ozone season gasoline RVP standard for the Baton Rouge area from 7.8 psi to 9.0 psi. Specifically, EPA is proposing to amend the applicable gasoline RVP standard to allow the gasoline RVP requirements at 40 CFR 80.27(a)(2) for the Baton Rouge area to change from 7.8 psi to 9.0 psi. Today's proposal relies on EPA's separate rulemaking that approved Louisiana's January 30, 2018 request to revise the approved maintenance plan for the Baton Rouge area for the 2008 ozone NAAQS and the submitted CAA section 110(l) non-interference demonstration as described in this document.

IV. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a ''significant regulatory action'' under the terms of Executive Order 12866 (58 FR 51735, October 4, 1993) and therefore was not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 13771: Reducing Regulation and Controlling Regulatory Costs

This action is considered an Executive Order 13771 deregulatory action. This proposed rule, if finalized, would provide meaningful burden reduction because it would relax the federal RVP standard for gasoline, and as a result, fuel suppliers would no longer be required to provide the lower, 7.8 psi RVP gasoline in the 5 parishes during the summer months. Relaxing the volatility requirements would also be beneficial because this action can improve the fungibility of gasoline sold in Louisiana by allowing the gasoline sold in the 5 named parishes to be identical to the fuel sold in the remainder of the state.

C. Paperwork Reduction Act

This action does not impose any new information collection burden under the provisions of the *Paperwork Reduction Act,* 44 U.S.C. 3501 *et seq.,* and therefore is not subject to these requirements.

D. Regulatory Flexibility Act (RFA)

I certify that this action would not have a significant economic impact on a substantial number of small entities under the RFA. In making this determination, the impact of concern is any significant adverse economic impact on small entities. An agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, has no net burden or otherwise has a positive economic effect on the small entities subject to the rule. The small entities subject to the requirements of this action are refiners, importers or blenders of gasoline that choose to produce or import low RVP gasoline for sale in Louisiana, and gasoline distributers and retail stations in Louisiana. This action, if finalized, would relax the federal RVP standard for gasoline sold in Louisiana's Baton Rouge area during the summertime ozone season to allow the RVP for gasoline sold in these parishes to rise from 7.8 psi to 9.0 psi. This rule does not impose any requirements or create impacts on small entities beyond those, if any, already required by or resulting from the CAA section 211(h) RVP program. Therefore, this action would have no net regulatory burden for all directly regulated small entities.

E. Unfunded Mandates Reform Act (UMRA)

This proposed rule does not contain an unfunded mandate of $100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action would implement mandates that are specifically and explicitly set forth in CAA section 211(h) without the exercise of any policy discretion by EPA.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It would 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.

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

This action does not have tribal implications, as specified in Executive Order 13175 (65 FR 67249, November 9, 2000). This proposed rule would affect only those refiners, importers or blenders of gasoline that choose to produce or import low RVP gasoline for sale in the Baton Rouge area and gasoline distributers and retail stations in the area. Thus, Executive Order 13175 does not apply to this action.

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

EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of ''covered regulatory action'' in section 2–202 of the Executive Order. EPA has no reason to believe that this action may disproportionately affect children since Louisiana has provided evidence that a relaxation of the gasoline RVP will not interfere with its attainment of the ozone NAAQS for the Baton Rouge area, or any other applicable CAA requirement. By separate action, EPA has finalized its approval of Louisiana's revised maintenance plan for the 2008 ozone NAAQS, including the state's non-interference demonstration that relaxation of the gasoline RVP standard in the Baton Rouge area to 9.0 RVP will not interfere with any other NAAQS or CAA requirement.

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

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

EPA believes the human health or environmental risk addressed by this action would not have potential disproportionately high and adverse human health or environmental effects on minority, low-income or indigenous populations because it does not affect the applicable ozone NAAQS which establish the level of protection provided to human health or the environment. Louisiana has demonstrated in its non-interference demonstration that this action will not interfere with maintenance of the ozone NAAQS in the Baton Rouge area for the 2008 ozone NAAQS, or with any other applicable requirement of the CAA. Therefore, disproportionately high and adverse human health or environmental effects on minority or low-income populations are not an anticipated result. The results of this evaluation are

contained in EPA's rulemaking for Louisiana's non-interference demonstration. A copy of Louisiana's April 10, 2017 letter requesting that EPA relax the gasoline RVP standard and the State's January 29, 2018 technical analysis demonstrating that the less stringent gasoline RVP would not interfere with continued maintenance of the 2008 ozone NAAQS in the Baton Rouge area, or with any other applicable CAA requirement, have been placed in the public docket for this action.

V. Legal Authority

The statutory authority for this action is granted to EPA by sections 211(h) and 301(a) of the Clean Air Act, as amended; 42 U.S.C. 7545(h) and 7601(a).

List of Subjects in 40 CFR Part 80

Environmental protection, Administrative practice and procedures, Air pollution control, Fuel additives, Gasoline, Motor vehicle and motor vehicle engines, Motor vehicle pollution, Penalties, Reporting and recordkeeping requirements.

Dated: June 6, 2018.

E. Scott Pruitt,

Administrator.

[FR Doc. 2018–12808 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2017–0006; FRL–9978–41]

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 July 16, 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: 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 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)

PP IN–11069. (EPA–HQ–OPP–2017–0651). The Dow Chemical Company, 1803 Building, Washington Street, Midland, MI 48764, requests to establish an exemption from the requirement of a tolerance for residues of 2-phenoxyethanol (CAS Reg. No. 122–99–6) when used as an inert ingredient in pesticide formulations applied to growing crops or to raw agricultural commodities after harvest under 40 CFR 180.910. The petitioner believes no analytical method is needed because the Agency is establishing an exemption from the requirement of a tolerance without any numerical limitation. Contact: RD.

PP IN–11143. (EPA–HQ–OPP–2018–0288). 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 patchouli oil (CAS Reg. No. 8014–09–3) when used as an inert ingredient (solvent, fragrance) in pesticide formulations applied to growing crops and raw agricultural commodities under 40 CFR 180.910 and applied to animals under 40 CFR 180.930 at a concentration not to exceed 30% by weight of the pesticide formulation. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

PP IN–11148. (EPA–HQ–OPP–2018–0290). BASF Corporation, requests to establish an exemption from the requirement of a tolerance for residues of 1-propanesulfonic acid, 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-, homopolymer, sodium (CAS Reg. No. 55141–01–0) and 1-propanesulfonic acid, 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-, sodium salt (1:1), (CAS Reg. No. 35641–59–9), 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.

PP IN–11149. (EPA–HQ–OPP–2018–0264). Spring Trading Company on behalf of BASF Corporation, 100 Park Avenue, Florham Park, New Jersey 07932, requests to establish an exemption from the requirement of a tolerance for residues of 2-propenoic acid, polymer with butyl 2-propenoate, ethenylbenzene and (1-methylethenyl) benzene, ammonium salt (CAS Reg. No. 360564–31–4), with a minimum number average molecular weight of 2,300 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.

PP IN–11150. (EPA–HQ–OPP–2018–0268). Spring Trading Company on behalf of BASF Corporation, 100 Park Avenue, Florham Park, New Jersey 07932, requests to establish an exemption from the requirement of a tolerance for residues of for 2-propenoic acid, 2-methyl-, polymer with butyl 2-methyl-2-propenoate, butyl 2-propenoate, N-(1,1-dimethyl-3-oxobutyl)-2-propenamide, ethenylbenzene, 2-ethylhexyl 2-propenoate and methyl 2-methyl-2-propenoate (CAS Reg. No.481053–27–4), with a minimum number average molecular weight of 7,300 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.

PP IN–11151. (EPA–HQ–OPP–2018–0263). Spring Trading Company on behalf of BASF Corporation, 100 Park Avenue, Florham Park, New Jersey 07932, requests to establish an exemption from the requirement of a tolerance for residues of for 2-propenoic acid, 2-methyl-, 2-oxiranylmethyl ester, polymer with butyl 2-propenoate, ethenylbenzene and 2-ethylhexyl 2-propenoate (CAS Reg. No. 58499–26–6), with a minimum number average molecular weight of 3,600 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.

Authority: 21 U.S.C. 346a.

Dated: June 5, 2018.

Michael Goodis,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 2018–12801 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2018–0006; FRL–9978–29]

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 July 16, 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: 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:

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- 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?

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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 Exemption for Inert (Except PIPS)

PP IN–11079. (EPA–HQ–OPP–2018–0204). SciReg, INC. (12733 Director's Loop, Woodbridge, VA 22192) on behalf of Italpollina USA, Inc. (1100 South Tower, 225 Peachtree Street NE, Atlanta, GA 30303) requests to establish an exemption from the requirement of a tolerance for residues of hydrolyzed soy protein (CAS Reg. No. 68607–88–5) when used as an inert ingredient (pH adjusting agent, surfactant, or adhesive) in pesticide formulations applied to growing crops only under 40 CFR 180.920. The petitioner believes no analytical method is needed because it is not required for an exemption from the requirement of a tolerance. Contact: RD.

New Tolerance for Non-Inert

PP 7F8649. (EPA–HQ–OPP–2018–0140). Bayer CropScience, 2 T.W. Alexander Drive, Research Triangle Park, NC 27709, requests to establish tolerance in 40 CFR part 180 for residues of the fungicide Fluoxastrobin; [2-[[6-(2-Chlorophenoxy)-5-fluoro-4-pyrimidinyl] oxy]phenyl] (5,6-dihydro-1,4,2- dioxazin-3-yl)methanone-O-methyloxime] in or on the raw agricultural commodities Cotton, gin byproducts at 0.01 parts per million (ppm) and Cotton, undelinted seed at 0.01 ppm. The analytical methodology liquid chromatography-mass spectrometry (LC/MS/MS) detection is used to measure and evaluate the chemical fluoxastrobin. Contact: RD.

Authority: 21 U.S.C. 346a, *et. seq.*

Dated: May 29, 2018.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Pesticide Programs.

[FR Doc. 2018–12807 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1085]

Proposed Flood Elevation Determinations for Assumption Parish, Louisiana and Incorporated Areas

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule; withdrawal.

SUMMARY: The Federal Emergency Management Agency (FEMA) is withdrawing its proposed rule concerning proposed flood elevation determinations for Assumption Parish, Louisiana and Incorporated Areas.

DATES: The proposed rule is withdrawn as of June 14, 2018.

ADDRESSES: You may submit comments, identified by Docket No. FEMA–B–1085, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;*

SUPPLEMENTARY INFORMATION: On February 5, 2010, FEMA published a proposed rule at 75 FR 5915, proposing flood elevation determinations along one or more flooding sources in Assumption Parish, Louisiana and Incorporated Areas. FEMA is withdrawing the proposed rule.

Authority: 42 U.S.C. 4104; 44 CFR 67.4.

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation (Acting), Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2018–12641 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1100]

Proposed Flood Elevation Determinations for Iron County, Utah and Incorporated Areas

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule; withdrawal.

SUMMARY: The Federal Emergency Management Agency (FEMA) is withdrawing its proposed rule concerning proposed flood elevation determinations for Iron County, Utah and Incorporated Areas.

DATES: The proposed rule is withdrawn as of June 14, 2018.

ADDRESSES: You may submit comments, identified by Docket No. FEMA–B–1100 to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;*

SUPPLEMENTARY INFORMATION: On May 25, 2010, FEMA published a proposed rule at 75 FR 29245, proposing flood elevation determinations along one or more flooding sources in Iron County, Utah and Incorporated Areas. FEMA is withdrawing the proposed rule.

Authority: 42 U.S.C. 4104; 44 CFR 67.4.

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation (Acting), Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2018–12640 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1222]

Proposed Flood Elevation Determinations for Iron County, Utah and Incorporated Areas

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule; withdrawal.

SUMMARY: The Federal Emergency Management Agency (FEMA) is withdrawing its proposed rule concerning proposed flood elevation determinations for Iron County, Utah and Incorporated Areas.

DATES: The proposed rule is withdrawn as of June 14, 2018.

ADDRESSES: You may submit comments, identified by Docket No. FEMA–B–1222 to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov.*

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;*

SUPPLEMENTARY INFORMATION: On October 6, 2011, FEMA published a proposed rule at 76 FR 62014 and 76 FR 62015, proposing flood elevation determinations along one or more flooding sources in Iron County, Utah and Incorporated Areas. FEMA is withdrawing the proposed rule.

Authority: 42 U.S.C. 4104; 44 CFR 67.4.

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation (Acting), Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2018–12642 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–12–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 54 and 64

[WC Docket No. 10–90, 14–58, 07–135 and CC Docket No. 01–92; Report No. 3091]

Petitions for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petitions for Reconsideration.

SUMMARY: Petitions for Reconsideration (Petitions) have been filed in the Commission's Rulemaking proceeding by James M. Gleason, on behalf of Clarity Telecom, LLC d/b/a Vast Broadband, Kevin Pyle, on behalf Hamilton County Telephone Co-op and Ronald T. Hinds, on behalf Grand River Mutual Telephone Corporation.

DATES: Oppositions to the Petition must be filed on or before June 29, 2018. Replies to an opposition must be filed on or before June 25, 2018.

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

FOR FURTHER INFORMATION CONTACT: Alexander Minard, Wireline Competition Bureau, Telecommunications Access Policy Division, at: (202) 418–7400; email: *Alexandrer.Minard@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, Report No. 3091, released June 5, 2018. The full text of the Petitions is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW, Room CY–A257, Washington, DC 20554.

It also may be accessed online via the Commission's Electronic Comment Filing System at: *http://apps.fcc.gov/ecfs/*. The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5 U.S.C. because no rules are being adopted by the Commission.

Subject: Connect America Fund, ETC Annual Reports and Certifications, Establishing Just and Reasonable Rates for Local Exchange Carriers, Developing a Unified Intercarrier Compensation, Report and Order and Third Order on Reconsideration, FCC 18–29, published at 83 FR 18951, May 1, 2018, in WC Docket Nos. 10–90, 14–58, 07–135 and CC Docket No. 01–92. This document is being published pursuant to 47 CFR 1.429(e). *See also* 47 CFR 1.4(b)(1) and 1.429(f), (g).

Number of Petitions Filed: 3.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2018–12786 Filed 6–13–18; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 697

[Docket No. 150401332–7999–01]

RIN 0648–BF01

Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery; Consideration of Expanded Harvester and Biological Sampling Requirements for American Lobster

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

ACTION: Advance notice of proposed rulemaking (ANPR); request for comments.

SUMMARY: This notice announces that NMFS intends to consider expanded harvester reporting requirements for the American lobster fishery as recommended by the Atlantic States Marine Fisheries Commission and is soliciting comments. The expanded requirements would be intended to improve the data available to enhance lobster stock assessments, evaluate the co-occurrence of fixed-gear fisheries with large whales, and estimate the economic impacts of offshore energy projects and other marine activities on the fishing industry. We may combine this action with an ongoing rulemaking that considers trap caps and ownership limits for the lobster fishery. The intent is to address the harvester reporting as soon as practicable, as recommended by the Atlantic States Marine Fisheries Commission.

DATES: We must receive written comments on or before July 16, 2018.

ADDRESSES: You may submit comments on this document, identified by NOAA–NMFS–2013–0169 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-2013-0169,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Michael Pentony, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, ''Comments on Lobster Harvester Reporting.''

Instructions: Comments must be submitted by one of the above methods to ensure that the comments are received, documented, and considered by NMFS. We may not consider comments sent by any other method, to any other address or individual, or received after the end of the comment period. All comments received are a part of the public record and will generally be posted for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, etc.) submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous). We accept attachments to electronic comments only in Microsoft Word or Excel, WordPerfect, or Adobe PDF file formats.

FOR FURTHER INFORMATION CONTACT: Peter Burns, Fishery Policy Analyst, 978–281–9144.

SUPPLEMENTARY INFORMATION:

Background

NMFS works cooperatively with the states to conserve the American lobster resource within the framework of the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for American Lobster (ISFMP). Through the ISFMP, the Commission adopts fishery conservation and management strategies for the lobster resource and coordinates the efforts of the states and NMFS to implement these strategies.

In February 2018, the Commission approved Addendum XXVI. The intent of Addendum XXVI is to expand lobster harvester reporting requirements, enhance the spatial and effort data collections, and improve the amount and type of biological data collected in the offshore trap fishery. Given the offshore expansion of lobster trap effort in recent years, the Commission developed this addendum to address data gaps due to inconsistent reporting and data collection requirements across state agencies and imposed in Federal waters by NMFS.

The addendum also serves to complement the Commission's Jonah crab management program as Addendum III to the Jonah Crab ISFMP. NMFS is currently in rulemaking to consider adopting management measures for the Jonah crab fishery, which could include the harvester reporting and other data collection elements of the addendum.

Addendum XXVI recommends that we require all Federal lobster permit holders to submit trip-level catch reports. Approximately 60 percent of all Federal lobster permit holders are currently required to submit a trip-level catch report. Federal reporting requirements are limited to those Federal lobster permit holders who also hold another Federal fishery permit with a reporting requirement. The new addendum also extends the 100-percent reporting requirement to the State of Maine, which currently requires about 10 percent of state lobster licensees to report their catch. All other lobster-producing states require all of their harvesters to report their catch. The Commission requested that we implement the mandatory trip-level harvester reporting requirement as soon as practicable. Consequently, we propose to combine the harvester reporting action with the ongoing actions for Addenda XXI and XXII and consolidate them into a single rulemaking action. Focused primarily on lobster conservation management areas (LCMAs) 2 and 3, these two addenda recommended modifications to the trap transfer program and trap caps in these LCMAs.

Addendum XXVI also recommends that we develop a fixed-gear catch report with expanded data elements, including a requirement for fishermen to report their fishing locations down to the 10-minute square to provide more

accurate data on where the fishery is taking place. The expanded data elements also include reporting the number of vertical lines deployed and number of traps per trawl to help get a better sense of fishing effort and to assist in evaluating the interactions between the fixed-gear fisheries and large whales. Further, the addendum recommends that we expand our offshore biological sampling program to help characterize the commercial catch and understand the biological characteristics of the stock. We will consider the expanded data elements and fixed-gear catch report, as well as the expanded offshore sampling recommendations, in a separate future action. We are requesting comments from the public on this approach.

Authority: 16 U.S.C. 1801 *et seq.;* 16 U.S.C. 5101 *et seq.*

Dated: June 11, 2018.

Donna S. Wieting,

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

[FR Doc. 2018–12777 Filed 6–13–18; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 83, No. 115

Thursday, June 14, 2018

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

National Agricultural Statistics Service

Notice of Intent To Request Revision and Extension of a Currently Approved Information Collection

AGENCY: National Agricultural Statistics Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, this notice announces the intention of the National Agricultural Statistics Service (NASS) to request revision and extension of a currently approved information collection, the Floriculture Survey. Revision to burden hours will be needed due to changes in the size of the target population, sampling design, and/or questionnaire length.

DATES: Comments on this notice must be received by August 13, 2018 to be assured of consideration.

ADDRESSES: You may submit comments, identified by docket number 0535–0093, by any of the following methods:

- *Email: ombofficer@nass.usda.gov.* Include docket number above in the subject line of the message.
- *efax:* (855) 838–6382.
- *Mail:* Mail any paper, disk, or CD–ROM submissions to: David Hancock, NASS Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW, Washington, DC 20250–2024.
- *Hand Delivery/Courier:* Hand deliver to: David Hancock, NASS Clearance Officer, U.S. Department of Agriculture, Room 5336 South Building, 1400 Independence Avenue SW, Washington, DC 20250–2024.

FOR FURTHER INFORMATION CONTACT: Kevin L. Barnes, Associate Administrator, National Agricultural Statistics Service, U.S. Department of Agriculture, (202) 720–2707. Copies of this information collection and related instructions can be obtained without charge from David Hancock, NASS—OMB Clearance Officer, at (202) 690–2388 or at *ombofficer@nass.usda.gov.*

SUPPLEMENTARY INFORMATION:

Title: Floriculture Survey.

OMB Control Number: 0535–0093.

Expiration Date of Approval: November 30, 2018.

Type of Request: Intent to Seek Approval to Revise and Extend an Information Collection for 3 years.

Abstract: The primary objective of the National Agricultural Statistics Service is to prepare and issue State and national estimates of crop and livestock production, prices, and disposition. The Floriculture Survey was previously conducted in 15 States (California, Florida, Hawaii, Illinois, Maryland, Michigan, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Texas, and Washington) and obtained basic agricultural statistics on production and value of floriculture products. The target population for this survey is all operations with production and sales of at least $10,000 of floriculture products. New floriculture operations that are discovered during the 2017 Census of Agriculture will be added to the list of potential respondents. The retail and wholesale quantity and value of sales are collected for fresh cut flowers, potted flowering plants, foliage plants, annual bedding/garden plants, herbaceous perennials, cut cultivated florist greens, propagative floriculture material, and unfinished plants. Additional detail on area in production, operation value of sales, and agricultural workers is included. Content changes are minimal year to year, with the goal of avoiding significant changes to the survey length and respondent burden associated with each questionnaire. The only program change currently being considered involves the possible rotation and/or expansion of the States included in the survey. These statistics are used by the U.S. Department of Agriculture to help administer programs and by growers and marketers in making production and marketing decisions.

Authority: These data will be collected under the authority of 7 U.S.C. 2204(a). Individually identifiable data collected under this authority are governed by Section 1770 of the Food Security Act of 1985 as amended, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents. This Notice is submitted in accordance with the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3501, *et seq.*), and Office of Management and Budget regulations at 5 CFR part 1320.

NASS also complies with OMB Implementation Guidance, ''Implementation Guidance for Title V of the E-Government Act, Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA),'' **Federal Register**, Vol. 72, No. 115, June 15, 2007, p. 33362.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average between 10 and 60 minutes per respondent. In all states except Hawaii, operations with less than $100,000 in sales of floriculture products respond to a reduced number of questions related to operation characteristics while operations with sales greater than $100,000 complete the entire questionnaire. In Hawaii, all operations with sales of at least $10,000 will complete the full questionnaire.

Respondents: Farms and businesses.

Estimated Number of Respondents: 7,600.

Estimated Total Annual Burden on Respondents: 4,700 hours.

Comments: Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, through the use of appropriate automated, electronic, mechanical, technological, or other forms of information technology collection techniques.

All responses to this notice will become a matter of public record and be summarized in the request for OMB approval.

Signed at Washington, DC, May 31, 2018.

Kevin L. Barnes,

Associate Administrator.

[FR Doc. 2018–12769 Filed 6–13–18; 8:45 am]

BILLING CODE 3410–20–P

DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

First Responder Network Authority

First Responder Network Authority Combined Committee and Board Meeting

AGENCY: First Responder Network Authority (''FirstNet Authority''), U.S. Department of Commerce.

ACTION: Notice of open public meetings.

SUMMARY: The Board of the First Responder Network Authority (''FirstNet Authority Board'') will convene a meeting of the FirstNet Authority Board and the Committees of the Board of the First Responder Network Authority (''Board Committees'') that will be open to the public via teleconference and WebEx on June 20, 2018.

DATES: A combined meeting of the Board Committees and the FirstNet Authority Board will be held on June 20, 2018, between 10:00 a.m. and 1:00 p.m., Eastern Daylight Time (EDT). The meeting of the FirstNet Authority Board and the Governance and Personnel, Technology, Public Safety Advocacy, and Finance Committees will be open to the public via teleconference and WebEx only from 10:00 a.m. to 1:00 p.m. EDT.

ADDRESSES: The combined meeting of the FirstNet Authority Board and Board Committees will be conducted via teleconference and WebEx only. Members of the public may listen to the meeting by dialing toll free 1–888–324–9653 and using passcode 4609182. To view the slide presentation, the public may visit the URL: URL: *https://www.mymeetings.com/nc/join/* and enter Conference number PWXW7524794 and audience passcode 4609182. Alternatively, members of the public may view the slide presentation by directly visiting the URL: *https://www.mymeetings.com/nc/join.php?i=PWXW7524794&p=4609182&t=c.*

FOR FURTHER INFORMATION CONTACT: Karen Miller-Kuwana, Board Secretary, FirstNet Authority, 12201 Sunrise Valley Drive, M/S 243, Reston, VA 20192; telephone: (571) 665–6177; email: *Karen.Miller-Kuwana@firstnet.gov.* Please direct media inquiries to Ryan Oremland at (571) 665–6186.

SUPPLEMENTARY INFORMATION: This notice informs the public that the FirstNet Authority Board and Board Committees will convene a combined meeting open to the public via teleconference and WebEx only on June 20, 2018.

Background: The Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401 *et seq.*)) (''the Act'') established the FirstNet Authority as an independent authority within the National Telecommunications and Information Administration that is headed by a Board. The Act directs the FirstNet Authority to ensure the building, deployment, and operation of a nationwide, interoperable public safety broadband network. The FirstNet Authority Board is responsible for making strategic decisions regarding the FirstNet Authority's operations. The FirstNet Authority Board held its first public meeting on September 25, 2012.

Matters to be Considered: The FirstNet Authority will post a detailed agenda for the combined meeting of the Board Committees and FirstNet Authority Board meeting on its website, *http://www.firstnet.gov,* prior to the meetings. The agenda topics are subject to change. Please note that the subjects that will be discussed by the Board Committees and the FirstNet Authority Board may involve commercial or financial information that is privileged or confidential or other legal matters affecting the FirstNet Authority. As such, the Board Committee Chairs and Board Chair may call for a vote to close the meetings only for the time necessary to preserve the confidentiality of such information, pursuant to 47 U.S.C. 1424(e)(2).

Times and Dates of Meeting: A combined meeting of the FirstNet Authority Board and Board Committees will be held on June 20, 2018, between 10:00 a.m. and 1:00 p.m., Eastern Daylight Time (EDT). The meeting of the FirstNet Authority Board and Board Committees will be open to the public via teleconference and WebEx from 10:00 a.m. to 1:00 p.m. EDT. The times listed above are subject to change. Please refer to FirstNet's website at *www.firstnet.gov* for the most up-to-date information.

Place: The combined meeting of the FirstNet Authority Board and Board Committees will be conducted via teleconference and WebEx.

Other Information: The combined meeting of the Board Committees is open to the public via teleconference and WebEx only. On the date and time of the meeting, members of the public may listen to the meeting by dialing toll free 1–888–324–9653 and using passcode 4609182. To view the slide presentation, the public may visit the URL: URL: *https://www.mymeetings.com/nc/join/* and enter Conference number PWXW7524794 and audience passcode 4609182. Alternatively, members of the public may view the slide presentation by directly visiting the URL: *https://www.mymeetings.com/nc/join.php?i=PWXW7524794&p=4609182&t=c.*

If you experience technical difficulty, please contact the Conferencing Center customer service at 1–866–900–1011. Public access will be limited to listen-only. Due to the limited number of ports, attendance via teleconference will be on a first-come, first-served basis.

The FirstNet Authority Board and Combined Committee Meeting is accessible to people with disabilities. Individuals requiring accommodations are asked to notify Ms. Miller-Kuwana by telephone (571) 665–6177 or email at *Karen.Miller-Kuwana@firstnet.gov* at least five (5) business days before the applicable meeting.

Records: The FirstNet Authority maintains records of all FirstNet Authority Board proceedings. Minutes of the FirstNet Authority Board Meeting and the Board Committee Meetings will be available at *www.firstnet.gov.*

Dated: June 8, 2018.

Karen Miller-Kuwana,

Board Secretary, First Responder Network Authority.

[FR Doc. 2018–12816 Filed 6–13–18; 8:45 am]

BILLING CODE 3510–TL–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–570–971]

Multilayered Wood Flooring From the People's Republic of China: Final Results and Partial Rescission of Countervailing Duty Administrative Review; 2015

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

SUMMARY: The Department of Commerce (Commerce) determines that Jiangsu Senmao Bamboo Wood Industry Co., Ltd. (Jiangsu Senmao) and Fine Furniture (Shanghai) Limited (Fine Furniture), exporters of multilayered wood flooring (MLWF) from the People's Republic of China (China), received countervailable subsidies

during the period of review (POR) January 1, 2015, through December 31, 2015.

DATES: Applicable June 14, 2018.

FOR FURTHER INFORMATION CONTACT: Dennis McClure or Jesus Saenz, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–5973 or (202) 482–8184, respectively.

SUPPLEMENTARY INFORMATION:

Background

Commerce selected Jiangsu Senmao and Fine Furniture as mandatory respondents in this administrative review of the countervailing duty (CVD) order on MLWF from the PRC.[1] Commerce published the *Preliminary Results* of the administrative review in the **Federal Register** on December 7, 2017.[2] We invited interested parties to comment on the *Preliminary Results.* On January 2, 2018, we received a case brief from Dun Hua Sen Tai Wood Co., Ltd.[3] On January 16, 2018, we received case briefs from the Government of the People's Republic of China (GOC) and Fine Furniture.[4] No party filed a rebuttal brief.

Commerce exercised its discretion to toll all deadlines affected by the closure of the Federal Government from January 20 through 22, 2018. After revising the deadline for tolling the due date for the final results of this administrative review as a result of the shutdown of the Federal Government, we extended the deadline for the final results to June 8, 2018.[5]

Scope of the Order

The product covered by the *Order* is multilayered wood flooring from the PRC. For a complete description of the scope of the order, *see* the Issues and Decision Memorandum.[6]

Analysis of Comments Received

All issues raised in the parties' briefs are addressed in the Issues and Decision Memorandum. A list of the issues addressed is attached to this notice at Appendix I. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov* and in the Central Records Unit, Room B8024 of the main Department building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at *http://enforcement.trade.gov/frn/.* The signed Issues and Decision Memorandum and the electronic version of the Issues and Decision Memorandum are identical in content.

Methodology

Commerce conducted this review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (Act). For each of the subsidy programs found countervailable, we find that there is a subsidy, *i.e.,* a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.[7] The Issues and Decision Memorandum contains a full description of the methodology underlying Commerce's conclusions, including any determination that relied upon the use of adverse facts available pursuant to sections 776(a) and (b) of the Act.

Partial Rescission of Administrative Review

As noted in the *Preliminary Results,* Commerce timely received no-shipment certifications from Changbai Mountain Development and Protection Zone Hongtu Wood Industrial Co., Ltd., Jiangsu Yuhui International Trade Co., Ltd., Jiaxing Hengtong Wood Co., Ltd., and Zhejiang Shuimojiangnan New Material Technology Co., Ltd. We inquired with U.S. Customs and Border Protection (CBP) whether these companies had shipped merchandise to the United States during the POR, and CBP provided no evidence to contradict the claims of no shipments made by these companies. Accordingly, we stated its intention to rescind the review with respect to these companies in the *Preliminary Results.* As the facts have remained the same since the *Preliminary Results,* we are rescinding the administrative review of these companies, pursuant to 19 CFR 351.213(d)(3).

Jiangsu Keri Wood Co., Ltd. (Jiangsu Keri Wood) and Linyi Bonn Flooring Manufacturing Co., Ltd. (Linyi Bonn) also timely filed no-shipment certifications. However, both companies subsequently withdrew their no-shipment submissions. Therefore, we are including Jiangsu Keri Wood and Linyi Bonn in this administrative review for purposes of the final results.

Rate for Non-Selected Companies Under Review

In this review, in addition to the two selected mandatory respondents, there are 105 companies for which a review was requested and not rescinded, but which were not selected for individual examination (non-selected respondents). For these companies, we applied the rate of mandatory respondent, Fine Furniture, the only above *de minimis* rate calculated in this review. For further information on the calculation of the non-selected rate, refer to the section in the Issues and Decision Memorandum entitled, ''*Ad Valorem* Rate for Non-Selected Companies Under Review.''

[1] *See Multilayered Wood Flooring from the People's Republic of China: Countervailing Duty Order,* 76 FR 76693 (December 8, 2011) (*Order*); *see also Multilayered Wood Flooring from the People's Republic of China: Amended Antidumping and Countervailing Duty Orders,* 77 FR 5484 (February 3, 2012), wherein the scope of the *Order* was modified (collectively, *Order*).

[2] *See Multilayered Wood Flooring from the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review, Rescission of Review, in Part, and Intent to Rescind the Review in Part; 2015,* 82 FR 57722 (December 7, 2017) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

[3] *See* Letter from Dun Hua Sen Tai Wood, ''Multilayered Wood Flooring from the People's Republic of China (C–570–971): Case Brief of Dun Hua Sen Tai Wood Co., Ltd.,'' dated January 2, 2018.

[4] *See* Letters from the GOC, ''*Case Brief of the Government of the People's Republic of China,*'' and Fine Furniture, ''Administrative Review of the Countervailing Duty Order on Multilayered Wood Flooring from the People's Republic of China: Case Brief,'' dated January 16, 2018.

[5] *See* Memorandum for The Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, ''Deadlines Affected by the Shutdown of the Federal Government'' (Tolling Memorandum), dated January 23, 2018. All deadlines in this segment of the proceeding have been extended by 3 days. *See also* Memorandum for James Maeder, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations from Irene Darzenta Tzafolias, Director Office VIII, Antidumping and Countervailing Duty Operations, ''Multilayered Wood Flooring from China: Extension of Deadline for Final Results of Countervailing Duty Administrative Review,'' dated March 16, 2018.

[6] *See* Memorandum to Gary Taverman, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, from James Maeder, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the duties of Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, ''Decision Memorandum for Final Results and Partial Rescission of Countervailing Duty Administrative Review: Multilayered Wood Flooring from the People's Republic of China; 2015'' (Issues and Decision Memorandum), dated concurrently with, and hereby adopted by, this notice.

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

Final Results of Administrative Review

In accordance with 19 CFR 351.221(b)(4)(i), we determine the following net subsidy rates for the 2015 administrative review:

Producer/exporter	Subsidy rate (percent)
Fine Furniture (Shanghai) Limited	0.85
Jiangsu Senmao Bamboo Wood Industry Co., Ltd	0.11 (*de minimis*)

Review-Specific Average Rate Applicable to the Following Non-Selected Companies:

Producer/exporter	Subsidy rate (percent)
A&W (Shanghai) Woods Co., Ltd	0.85
Anhui Boya Bamboo & Wood Products Co., Ltd	0.85
Anhui Longhua Bamboo Product Co., Ltd	0.85
Anhui Suzhou Dongda Wood Co., Ltd	0.85
Baishan Huafeng Wood Product Co., Ltd	0.85
Baiying Furniture Manufacturer Co., Ltd	0.85
Benxi Wood Company	0.85
Changzhou Hawd Flooring Co., Ltd	0.85
Cheng Hang Wood Co., Ltd	0.85
Chinafloors Timber (China) Co. Ltd	0.85
Dalian Dajen Wood Co., Ltd	0.85
Dalian Huade Wood Product Co., Ltd	0.85
Dalian Huilong Wooden Products Co., Ltd	0.85
Dalian Jaenmaken Wood Industry Co., Ltd	0.85
Dalian Jiahong Wood Industry Co., Ltd	0.85
Dalian Jiuyuan Wood Industry Co., Ltd	0.85
Dalian Kemian Wood Industry Co., Ltd	0.85
Dalian Xinjinghua Wood Co., Ltd	0.85
Dongtai Fuan Universal Dynamics, LLC	0.85
Dongtai Zhangshi Wood Industry Co. Ltd	0.85
Dun Hua Sen Tai Wood Co., Ltd	0.85
Dunhua City Dexin Wood Industry Co., Ltd	0.85
Dunhua City Hongyuan Wood Industry Co., Ltd	0.85
Dunhua City Jisen Wood Industry Co., Ltd	0.85
Dunhua City Wanrong Wood Industry Co., Ltd	0.85
Dunhua Shengda Wood Industry Co., Ltd	0.85
Fu Lik Timber (HK) Co., Ltd	0.85
Fusong Jinlong Wooden Group Co., Ltd	0.85
Fusong Qianqiu Wooden Product Co., Ltd	0.85
GTP International Ltd	0.85
Guangdong Yihua Timber Industry Co., Ltd	0.85
Guangzhou Homebon Timber Manufacturing Co., Ltd	0.85
Guangzhou Panyu Kangda Board Co., Ltd	0.85
Guangzhou Panyu Southern Star Co., Ltd	0.85
HaiLin LinJing Wooden Products, Ltd	0.85
HaiLin XinCheng Wooden Products, Ltd	0.85
Hangzhou Dazhuang Floor Co., Ltd	0.85
Hangzhou Hanje Tec Co., Ltd	0.85
Hangzhou Huahi Wood Industry Co., Ltd	0.85
Huber Engineering Wood Corp.	0.85
Hunchun Forest Wolf Wooden Industry Co., Ltd	0.85
Hunchun Xingjia Wooden Flooring Inc.	0.85
Hunchun Forest Wolf Wooden Industry Co., Ltd	0.85
Hunchun Xingjia Wooden Flooring Inc.	0.85
Huzhou Chenghang Wood Co., Ltd	0.85
Huzhou City Nanxun Guangda Wood Co., Ltd	0.85
Huzhou Fulinmen Imp. & Exp. Co., Ltd	0.85
Huzhou Fuma Wood Co., Ltd	0.85
Huzhou Fuma Wood Bus. Co., Ltd	0.85
Huzhou Jesonwood Co., Ltd	0.85
Huzhou Muyun Wood Co., Ltd	0.85
Huzhou Sunergy World Trade Co., Ltd	0.85
Jiashan Huijiale Decoration Material Co., Ltd	0.85
Jiafeng Wood (Suzhou) Co., Ltd	0.85
Jiangsu Guyu International Trading Co., Ltd	0.85
Jiangsu Kentier Wood Co., Ltd	0.85
Jiangsu Keri Wood Co., Ltd	0.85

Producer/exporter	Subsidy rate (percent)
Jiangsu Mingle Flooring Co	0.85
Jiangsu Simba Flooring Co., Ltd	0.85
Jiashan On-Line Lumber Co., Ltd	0.85
Jilin Forest Industry Jinqiao Flooring Group Co., Ltd	0.85
Jilin Xinyuan Wooden Industry Co., Ltd	0.85
Karly Wood Product Limited	0.85
Kember Flooring, Inc	0.85
Kemian Wood Industry (Kunshan) Co., Ltd	0.85
Kingman Floors Co., Ltd	0.85
Les Planchers Mercier, Inc	0.85
Linyi Anying Wood Co., Ltd	0.85
Linyi Bonn Flooring Manufacturing Co., Ltd	0.85
Linyi Youyou Wood Co., Ltd	0.85
Metropolitan Hardwood Floors, Inc	0.85
Mudanjiang Bosen Wood Industry Co., Ltd	0.85
Nakahiro Jyou Sei Furniture (Dalian) Co., Ltd	0.85
Pinge Timber Manufacturing (Zhejiang) Co., Ltd	0.85
Power Dekor Group Co., Ltd. (Exp)	0.85
Qingdao Barry Flooring Co., Ltd	0.85
Shandong Kaiyuan Wood Industry Co., Ltd	0.85
Shanghai Anxin (Weiguang) Timber Co., Ltd	0.85
Shanghai Eswell Timber Co., Ltd	0.85
Shanghai Lairunde Wood Co., Ltd	0.85
Shanghai Lizhong Wood Products Co., Ltd./The Lizhong Wood Industry Limited Companyof Shanghai	0.85
Shanghai New Sihe Wood Co., Ltd	0.85
Shanghai Shenlin Corporation	0.85
Shenyang Haobainian Wooden Co., Ltd	0.85
Shenzhenshi Huanwei Woods Co., Ltd	0.85
Sino-Maple (Jiangsu) Co., Ltd	0.85
Suzhou Dongda Wood Co., Ltd	0.85
Tongxiang Jisheng Import and Export Co., Ltd	0.85
Vicwood Industry (Suzhou) Co. Ltd	0.85
Xiamen Yung De Ornament Co., Ltd	0.85
Xuzhou Antop International Trade Co., Ltd	0.85
Xuzhou Shenghe Wood Co., Ltd	0.85
Yekalon Industry, Inc. (Exp)	0.85
Yihua Lifestyle Technology Co., Ltd	0.85
Yingyi-Nature (Kunshan) Wood Industry Co., Ltd	0.85
Yixing Lion-King Timber Industry	0.85
Zhejiang Biyork Wood Co., Ltd	0.85
Zhejiang Dadongwu Green Home Wood Co., Ltd	0.85
Zhejiang Desheng Wood Industry Co., Ltd	0.85
Zhejiang Fudeli Timber Industry Co., Ltd	0.85
Zhejiang Fuerjia Wooden Co., Ltd	0.85
Zhejiang Fuma Warm Technology Co., Ltd	0.85
Zhejiang Haoyun Wooden Co., Ltd	0.85
Zhejiang Longsen Lumbering Co., Ltd	0.85
Zhejiang Simite Wooden Co., Ltd	0.85
Zhejiang Shiyou Timber Co., Ltd	0.85

Assessment and Cash Deposit Instructions

In accordance with 19 CFR 351.212(b)(2), Commerce intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review to liquidate shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after January 1, 2015, through December 31, 2015, for the above-listed companies at the applicable *ad valorem* assessment rates listed, except for those companies to which a *de minimis* rate is assigned. Concerning those companies with a *de minimis* rate, Commerce intends to issue assessment instructions to CBP to liquidate shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after January 1, 2015, through December 31, 2015, without regard to countervailing duties.

Commerce also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for each of the respective companies listed above, except, where the rate calculated in these final results is *de minimis,* no cash deposit will be required on shipments of the subject merchandise entered or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review. For all nonreviewed firms, we will instruct CBP to collect cash deposits of estimated countervailing duties at the most recent company-specific or all others rate applicable to the company, as appropriate. These cash deposit requirements, effective upon publication of these final results, shall remain in effect until further notice.

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or

conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

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

Dated: June 8, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Final Decision Memorandum

I. Summary
II. Background
III. List of Interested Party Comments
IV. Scope of the Order
V. Partial Rescission of Administrative Review
VI. Subsidies Valuation Information
VII. Discount Rates
VIII. Use of Facts Otherwise Available and Adverse Facts Available and Corroboration of Secondary Information
IX. Programs Determined to Be Countervailable
X. Programs Determined Not to Be Used
XI. *Ad Valorem* Rate for Non-Selected Companies Under Review
XII. Analysis of Comments
Comment 1: Electricity for LTAR—Application of Adverse Facts Available
Comment 2: Electricity for LTAR—Calculation Methodology
Comment 3: Countervailability of Allowance for Attorney's Fees Program
Comment 4: Whether To Assign Non-Selected Company Rate to Dun Hua Sen Tai Wood
XIII. Conclusion

[FR Doc. 2018–12772 Filed 6–13–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–844]

Steel Concrete Reinforcing Bar From Mexico: Final Results of Antidumping Duty Administrative Review; 2015–2016

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

SUMMARY: The Department of Commerce (Commerce) determines that Deacero S.A.P.I de C.V. (Deacero) and exporters of steel concrete reinforcing bar from Mexico did not make sales of subject merchandise at less than normal value during the period of review (POR) November 1, 2015, through October 31, 2016.

DATES: Applicable June 14, 2018.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore, AD/CVD Operations, Office III, Enforcement and Compliance, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3692.

SUPPLEMENTARY INFORMATION:

Background

Commerce published the *Preliminary Results* of this administrative review on December 6, 2017.[1] We invited interested parties to comment on the *Preliminary Results.* On January 8, 2018, Commerce received a timely filed case brief from the Petitioner,[2] and on January 11, 2018, Commerce received a timely filed rebuttal brief from Deacero.[3] On February 8, 2018, Commerce officials met with counsel for the Petitioner.[4]

On January 23, 2018, Commerce exercised its discretion to toll all deadlines affected by the closure of the Federal Government from January 20 through 22, 2018.[5] On March 22, 2018, Commerce extended the deadline for these final results. The revised deadline for the final results of this review is now June 7, 2018.

Scope of the Order

Imports covered by the order are shipments of steel concrete reinforcing bar imported in either straight length or coil form (rebar) regardless of metallurgy, length, diameter, or grade. The merchandise subject to review is currently classifiable under items 7213.10.0000, 7214.20.0000, and 7228.30.8010. The subject merchandise may also enter under other Harmonized Tariff Schedule of the United States (HTSUS) numbers including 7215.90.1000, 7215.90.5000, 7221.00.0017, 7221.00.0018, 7221.00.0030, 7221.00.0045, 7222.11.0001, 7222.11.0057, 7222.11.0059, 7222.30.0001, 7227.20.0080, 7227.90.6085, 7228.20.1000, and 7228.60.6000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.[6]

Duty Absorption

As noted in the *Preliminary Results,* Commerce applied facts available and an adverse inference pursuant to sections 776(a) and (b) of the Tariff Act of 1930 (the Act) and found that duty absorption exists on all U.S. sales of the subject merchandise exported by Deacero. Commerce's position on this issue remains unchanged in these final results of administrative review.

Final Determination of No Shipments

As noted in the *Preliminary Results,* we received no-shipment claims from Grupo Simec[7] and ArcelorMittal,[8] companies named in the *Initiation Notice,* and we confirmed the claims with U.S. Customs and Border Protection (CBP). Following publication of the *Preliminary Results,* we received no comments from interested parties regarding these companies. As a result, and because the record contains no evidence to the contrary, we continue to find that Grupo Simec and ArcelorMittal made no shipments during the POR. Accordingly, consistent with Commerce's practice, we will instruct U.S. Customs and Border Protection (CBP) to liquidate any existing entries of merchandise produced by these two companies, but exported by other parties, at the rate for the intermediate reseller, if available, or at the all-others rate.

[1] *See Steel Concrete Reinforcing Bar from Mexico: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2015–2016,* 82 FR 57581 (December 6, 2017) (*Preliminary Results*).

[2] Petitioner is the Rebar Trade Action Coalition and its individual members. The individual members are Nucor Corporation, Gerdau Ameristeel U.S. Inc., Commercials Metals Company, Cascade Steel Rolling Mills, Inc., and Byer Steel Group, Inc.

[3] *See* Petitioner's Letter, ''Steel Concrete Reinforcing Bar from Mexico: Case Brief and Request for Hearing'' (Petitioner Case Brief), dated January 5, 2018; Deacero's Letter, ''Steel Concrete Reinforcins from Mexico—Rebuttal Brief'' (Deacero Rebuttal Brief), dated January 10, 2018.

[4] *See* Memorandum to the File, ''Steel Concrete Reinforcing Bar from Mexico: *Ex-Parte* Meeting,'' dated February 9, 2018, and Memorandum to the File, ''Steel Concrete Reinforcing Bar from Mexico: Hearing,'' dated May 7, 2018.

[5] *See* Memorandum for The Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, ''Deadlines Affected by the Shutdown of the Federal Government'' (Tolling Memorandum), dated January 23, 2018. All deadlines in this segment of the proceeding have been extended by 3 days.

[6] For a full description of the scope of the order, *see* the ''Decision Memorandum for the Final Results of Antidumping Duty Administrative Review: Steel Concrete Reinforcing Bar from Mexico; 2015–2016,'' from James Maeder, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Gary Taverman, Assistant Secretary for Enforcement and Compliance, dated concurrently with this notice (Final Decision Memorandum).

[7] Grupo Simec and Orge S.A. de C.V. (collectively, Grupo Simec).

[8] ArcelorMittal Lazaro Cardenas, SA. de CV. (which became ArcelorMittal Mexico, S.A, de CV. on March 31, 2014), ArcelorMittal Celaya, SA. de CV., and ArcelorMittal Cordoba, SA. de CV. (collectively, ArcelorMittal).

Analysis of Comments Received

All issues raised in the case and rebuttal brief by parties to this administrative review are addressed in the Issues and Decision Memorandum. A list of the issues that parties raised and to which we responded is attached to this notice as an Appendix. The Issues and Decision Memorandum is a public document and is on-file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov* and in the Central Records Unit (CRU), Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at *http://enforcement.trade.gov/frn/index.html.* The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties regarding our *Preliminary Results,* we made no changes to Deacero's final rate calculations. For a discussion of these issues, *see* the Issues and Decision Memorandum.

Final Results of the Review

As a result of this review, we calculated a dumping margin of zero percent for Deacero. We are applying to the non-selected companies the rate calculated for Deacero, the sole mandatory respondent in these final results for the period November 1, 2015, through October 31, 2016:

Producer and/or exporter	Weighted-average dumping margin (percent)
Deacero S.A.P.I. de C.V	0.00
Industrias CH	0.00
Ternium Mexico, S.A. de C.V	0.00
Cia Siderurgica De California, S.A. de C.V	0.00
Grupo Acerero S.A. de C.V	0.00
AceroMex S.A	0.00
Siderurgica Tultitlan S.A. de C.V	0.00
Talleres y Aceros, S.A. de C.V	0.00
Grupo Villacero S.A. de C.V	0.00

Disclosure

We will disclose the calculations performed to parties in this proceeding within five days of the date of publication of this notice, in accordance with 19 CFR 351.224(b).

Duty Assessment

Commerce shall determine and Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries.[9] For Deacero, because its weighted-average dumping margin is zero or *de minimis* (*i.e.,* less than 0.5 percent), Commerce has not calculated importer-specific antidumping duty assessment rates. Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the importer-specific assessment rate is zero or *de minimis.* Because we calculated a zero margin for Deacero in the final results of this review, we intend to instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[10]

We intend to issue assessment instructions directly to CBP 41 days after publication of the final results of this review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for respondents noted above will be zero; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 20.58 percent, the all-others rate established in the antidumping investigation.[11] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213(h) and 19 CFR 351.221(b)(5).

Dated: June 7, 2018.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Final Decision Memorandum

I. Summary
II. List of Comments
III. Background
IV. Scope of the Order
V. Duty Absorption
VI. Final Determination of No Shipments
VII. Analysis of Comments
  Comment 1: Whether a Particular Market Situation Exists Regarding Deacero's Purchase of Electricity
  Comment 2: Treatment of Non-Prime Merchandise Reported by Deacero
VIII. Recommendation

[FR Doc. 2018–12771 Filed 6–13–18; 8:45 am]

BILLING CODE 3510–DS–P

[9] In these final results, Commerce applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification,* 77 FR 8101 (February 14, 2012) (*Final Modification for Reviews*).

[10] *Id.*

[11] *See Steel Concrete Reinforcing Bar from Mexico: Final Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances,* 79 FR 54967 (September 15, 2014).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XF600

Draft Environmental Impact Statement for Issuing Annual Catch Limits to the Alaska Eskimo Whaling Commission

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

ACTION: Notice of availability of a draft Environmental Impact Statement; request for comments.

SUMMARY: NMFS announces the availability of a draft environmental impact statement (EIS) pursuant to the National Environmental Policy Act of 1969 (NEPA), in order to assess the impacts of issuing annual catch limits for the subsistence harvest of bowhead whales by Alaska Natives from 2019 onward. The official 60-day comment period for comments on the draft EIS began on June 1, 2018 and will end on July 31, 2018.

DATES: Comments on this draft EIS must be received no later than July 31, 2018.

ADDRESSES: Submit your comments on this draft environmental impact statement, by including NOAA–NMFS–2017–0098 by either of the following methods:

- *Federal e-Rulemaking Portal:* Go to *http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2017-0098.* Click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Carolyn Doherty, Office of International Affairs and Seafood Inspection, NOAA Fisheries, 1315 East-West Highway, Silver Spring, MD 20910. *Instructions:* NMFS may not consider comments if they are sent by any other method, to any other address or individual, or received after the comment period ends at 11:59 p.m. eastern time on the date of comment period closure.

Instructions: All comments received are a part of the public record and will generally be posted to *www.regulations.gov* without change. For posted comments, all personal identifying information (*e.g.,* name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender is publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe portable document file (PDF) formats only.

FOR FURTHER INFORMATION CONTACT: Carolyn Doherty, Office of International Affairs and Seafood Inspection, NOAA Fisheries (phone: 301–427–8385 or email: *Carolyn.Doherty@noaa.gov*).

SUPPLEMENTARY INFORMATION: NMFS is preparing an EIS in order to comprehensively assess impacts of the subsistence harvest of Western Arctic bowhead whales by Alaska Natives from 2019 onward. The draft EIS is posted on the NOAA Fisheries' Alaska Regional Office's web page at *https://alaskafisheries.noaa.gov/pr/whales-bowhead.*

Background

Alaska Natives have hunted bowhead whales for over 2,000 years as the whales migrate in the spring and fall along the coast of Alaska. Their traditional subsistence hunts for these whales have been regulated by catch limits and other limitations under the authority of the International Whaling Commission (IWC) since 1977. Alaska Native subsistence hunters from 11 northern Alaskan communities take less than 1 percent of the stock of bowhead whales per year. Since 1977, the number of whales struck by harpoons has ranged between 14 and 72 animals per year, depending in part on changes in IWC management strategy due to higher estimates of both bowhead whale abundance and increased hunter efficiency in recent years. The IWC sets an overall aboriginal subsistence catch limit for this stock, based on the request of IWC member countries on behalf of the aboriginal hunters. The IWC's catch limit for bowhead whales includes a limit on the number of landed whales and a limit on the number of whales that may be struck. In the case of Alaska and Russian Native subsistence hunts, the United States and the Russian Federation make a joint request to the IWC for subsistence catch limits for bowhead whales.

NMFS must annually publish a notice of aboriginal subsistence whale hunting catch limits and any other limitations on such hunting in the **Federal Register** (50 CFR 230.6). The subsistence hunt is directly managed by the Alaska Eskimo Whaling Commission (AEWC) and the catch limits are issued through annual amendments to a cooperative agreement between the AEWC and NOAA, consistent with the mandates codified in the Whaling Convention Act, 16 U.S.C. 916–916l.

In order to comprehensively assess the effects of these annual removals, this proposed action would extend from 2019 onward, subject to IWC-set catch limits. IWC-set catch limits are, in turn, based on IWC Scientific Committee advice on the sustainability of proposed catch limits using a population model, referred to as a Strike Limit Algorithm. The Strike Limit Algorithm used by the IWC is specific to this population of bowhead whales and is the IWC's formula for calculating sustainable aboriginal subsistence whaling removal levels, based on the size and productivity of a whale population, in order to satisfy subsistence need. The Strike Limit Algorithm also allows for an inter-annual variation of strikes up to 50 percent of the annual strike limit in order to provide flexibility for the hunt while meeting the Commission's conservation objectives.

Alternatives Considered

NMFS considered five alternatives in the draft EIS:

Alternative 1 (no action): Do not grant the AEWC a catch limit.

Alternative 2: Grant the AEWC an annual strike limit of 67 bowhead whales, not to exceed a total of 336 landed whales over any 6-year period, with no unused strikes from previous years added to the subsequent annual limit as carry-forward.

Alternative 3: Grant the AEWC an annual strike limit of 67 bowhead whales, not to exceed a total of 336 landed whales over any 6-year period, with unused strikes from previous years carried forward and added to the annual strike limit of subsequent years (subject to limits), provided that no more than 15 additional strikes are added to any one year's allocation of strikes. This alternative would maintain the status quo for any 6-year period with respect to management of the hunt.

Alternative 4 (Preferred Alternative): Grant the AEWC an annual strike limit of 67 bowhead whales, not to exceed a total of 336 landed whales over any 6-year period, with unused strikes from previous years carried forward and added to the annual strike quota of subsequent years (subject to limits), provided that no more than 50 percent of the annual strike limit is added for any one year. This alternative would maintain the status quo for any 6-year period with respect to management of the hunt for landed whales and employ the Commission's agreed-upon 50 percent carryover principle. The agency has identified Alternative 4 as its preferred alternative because it best meets the purpose and need of this action, and it achieves the socio-cultural benefits of the subsistence hunt at minimal environmental cost.

Alternative 5: Grant the AEWC an annual strike limit of 100 bowhead whales, not to exceed a total of 504 landed whales over any 6-year period, with unused strikes from previous years carried forward and added to the annual strike quota of subsequent years (subject to limits), provided that no more than 50 percent of the annual strike limit is added for any one year. This alternative would increase the harvest levels by 50 percent and employ the Commission's agreed-upon 50 percent carryover principle. Under this alternative, NMFS would authorize a higher level of harvest, given: (1) The timeframe for NMFS's proposed action, *i.e.,* from 2019 onward, where it is likely that the AEWC's subsistence need for bowhead whales will increase over this timeframe; and (2) the increasing size of the Western Arctic bowhead whale population. As with the other alternatives, NMFS's issuance of any future catch limits will be subject to IWC requirements, which, in turn, will be based on IWC Scientific Committee advice on the sustainability of those catch limits.

NMFS decided to prepare an EIS rather than an EA in order to assess the impacts of issuing annual quotas for the subsistence hunt by Alaska Natives from 2019 onward. This decision was not based on any new determination that significant effects occur as a result of the bowhead subsistence hunt, but rather to take advantage of the greater transparency and public involvement in decision-making afforded through an EIS process.

Major issues addressed in this draft EIS include: The impact of subsistence removal of bowhead whales from the Western Arctic stock of bowhead whales; the impacts of these harvest levels on the traditional and cultural values of Alaska Natives, and the cumulative effects of the action when considered along with environmental conditions and past, present, and future actions potentially affecting bowhead whales.

Public Comment

The publication date of the Environmental Protection Agency's Notice of Availability of the draft EIS, June 1, 2018, 83 FR 25451, constitutes the start of the comment period under NEPA for the draft EIS. The public comment period will end on July 31, 2018, per 83 FR 26665. NOAA encourages all parties with an interest in or who are affected by the Alternatives described in the draft EIS to provide suggestions and comments. Comments are specifically requested regarding the range of alternatives assessed, scope of analysis, and assessment of direct, indirect, and cumulative impacts.

The official public comment period is 60 days, from June 1, 2018 until July 31, 2018. The draft EIS is posted on the NOAA Fisheries' Alaska Regional Office's web page at *https://alaskafisheries.noaa.gov/pr/whales-bowhead.*

Authority

The preparation of this draft EIS was conducted under the authority and in accordance with the requirements of NEPA, Council on Environmental Quality Regulations (40 CFR parts 1500–1508), other applicable Federal laws and regulations, and policies and procedures of NMFS for compliance with those regulations.

Dated: June 8, 2018.

John Henderschedt,

Director, Office of International Affairs and Seafood Inspection, National Marine Fisheries Service.

[FR Doc. 2018–12734 Filed 6–13–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2018–ICCD–0034]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; Federal Student Loan Program: Internship/Residency and Loan Debt Burden Forbearance Forms

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before July 16, 2018.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2018–ICCD–0034. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Room 216–34, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Ian Foss, 202–377–3681.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Federal Student Loan Program: Internship/Residency and Loan Debt Burden Forbearance Forms.

OMB Control Number: 1845–0018.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 27,042.

Total Estimated Number of Annual Burden Hours: 6,393.

Abstract: These forms serve as the means by which borrowers in the William D. Ford Federal Direct Loan (Direct Loan), Federal Family Education Loan (FFEL) and the Federal Perkins Loan (Perkins Loan) Programs may request forbearance of repayment on their loans if they meet certain conditions. The U.S. Department of

Education and other loan holders uses the information collected on these forms to determine whether a borrower meets the eligibility requirements for the specific type of forbearance.

Dated: June 11, 2018.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018–12775 Filed 6–13–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Applications for New Awards; Indian Education Discretionary Grants Programs—Professional Development Grants Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education is issuing a notice inviting applications for new awards for fiscal year (FY) 2018 for Indian Education Discretionary Grants Programs—Professional Development Program, Catalog of Federal Domestic Assistance (CFDA) Number 84.299B.

DATES: Applications Available: June 14, 2018.

Deadline for Notice of Intent to Apply: June 29, 2018.

Deadline for Transmittal of Applications: July 30, 2018.

Deadline for Intergovernmental Review: September 27, 2018.

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 12, 2018 (83 FR 6003) and available at *www.gpo.gov/fdsys/pkg/FR-2018-02-12/pdf/2018-02558.pdf.*

FOR FURTHER INFORMATION CONTACT: Angela Hernandez-Marshall, U.S. Department of Education, 400 Maryland Avenue SW, Room 3W113, Washington, DC 20202–6335. Telephone: (202) 205–1909 or by email: *angela.hernandez-marshall@ed.gov.*

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call, toll free: 1–877–576–7734.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purposes of the Indian Education Professional Development Grants program that are relevant to this competition are to increase the number of qualified Indian individuals in professions that serve Indians; and to provide training to qualified Indian individuals to become teachers and administrators.

Priorities: This competition contains two absolute priorities, and four competitive preference priorities. We are establishing Absolute Priorities 1 and 2 and Competitive Preference Priority 1 for the FY 2018 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of the General Education Provisions Act (GEPA), 20 U.S.C. 1232(d)(1). In accordance with 34 CFR 75.105(b)(2)(ii), Competitive Preference Priorities 2 and 3 are from the regulations for this program (34 CFR 263.5). Competitive Preference Priority 4 is from the Department's notice of Final Supplemental Priorities and Definitions for Discretionary Grant Programs (Supplemental Priorities), published in the **Federal Register** on March 2, 2018 (83 FR 9096).

Absolute Priorities: These priorities are absolute priorities. Under 34 CFR 75.105(c)(3) we consider only applications that meet one or both of these priorities.

These priorities are:

Absolute Priority 1: Pre-Service training for teachers.

Projects that—

(i) Provide support and training to Indian individuals to complete a pre-service education program before the end of the award period that enables the individuals to meet the requirements for full State certification or licensure as a teacher through—

(A) Training that leads to a degree in education;

(B) For States allowing a degree in a specific subject area, training that leads to a degree in the subject area; or

(C) Training in a current or new specialized teaching assignment that requires a degree and in which a documented teacher shortage exists;

(ii) Provide two years of induction services, during the award period, to participants after graduation, certification, or licensure, while they are completing their first two years of work as teachers in local education agencies (LEAs) (including Bureau of Indian Education (BIE)-funded schools) that serve a high proportion of Indian students; and

(iii) Include goals for the—

(A) Number of participants to be recruited each year;

(B) Number of participants to continue in the project each year;

(C) Number of participants to graduate each year; and

(D) Number of participants to find qualifying jobs within 12 months of completion.

Absolute Priority 2: Pre-service administrator training.

Projects that—

(i) Provide support and training to Indian individuals to complete a graduate degree in education administration that is provided before the end of the award period and that allows participants to meet the requirements for State certification or licensure as an education administrator;

(ii) Provide two years of induction services, during the award period, to participants after graduation, certification, or licensure, while they are completing their first two years of work as administrators in LEAs (including BIE-funded schools) that serve a high proportion of Indian students; and

(iii) Include goals for the—

(A) Number of participants to be recruited each year;

(B) Number of participants to continue in the project each year;

(C) Number of participants to graduate each year; and

(D) Number of participants to find qualifying jobs within twelve months of completion.

Competitive Preference Priorities: For FY 2018 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(ii) we award an additional three points to an application that meets Competitive Preference Priority 1, an additional five points to an application that meets Competitive Preference Priority 2, an additional three points to an application that meets Competitive Preference Priority 3, and up to an additional five points to an application, depending on how well the application meets Competitive Preference Priority 4. Applicants who receive points under Competitive Preference Priority 2 are not eligible for points under Competitive Preference Priority 3; thus the maximum number of points is 13.

These priorities are:

Competitive Preference Priority 1 (Zero or three additional points).

An application that includes a letter of support signed by the authorized

representative of an LEA or BIE-funded school that agrees to consider program graduates for qualifying jobs and that serves a high proportion of Indian students.

Competitive Preference Priority 2 (Zero or five additional points).

An application submitted by an Indian Tribe, Indian organization, or Tribal College or University (as defined in section 316 of the Higher Education Act of 1965) (TCU) that is eligible to participate in the Professional Development program. A consortium application of eligible entities that meets the requirements of 34 CFR 75.127 through 75.129 and includes an Indian Tribe, Indian organization, or TCU will be considered eligible to receive preference under this priority only if the lead applicant for the consortium is the Indian Tribe, Indian organization, or TCU. In order to be considered a consortium application, the application must include the consortium agreement, signed by all parties.

Competitive Preference Priority 3 (Zero or three additional points).

A consortium application of eligible entities whose lead is non-Tribal that—

(i) Meets the requirements of 34 CFR 75.127 through 75.129 and includes an Indian Tribe, Indian organization, or TCU; and

(ii) Is not eligible to receive a preference under Competitive Preference Priority 2.

Competitive Preference Priority 4 (Up to five additional points):

An application that is designed to increase the opportunities for high-quality preparation of, or professional development for, teachers or other educators of science, technology, engineering, math, or computer science.

Application Requirements:

Application requirements 1 and 3 below are from 20 U.S.C. 7442(e), and application requirement 2 is established, for the FY 2018 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1).

Each application must describe how the eligible entity will—

(1) Recruit qualified Indian individuals, such as students who may not be of traditional college age, to become teachers, principals, or school leaders;

(2) Use funds made available under the grant to support the recruitment, preparation, and professional development of Indian teachers or principals in local educational agencies (including BIE-funded schools) that serve a high proportion of Indian students; and

(3) Assist participants in meeting the payback requirements.

Statutory Hiring Preference:

(a) Awards that are primarily for the benefit of Indians are subject to the provisions of section 7(b) of the Indian Self-Determination and Education Assistance Act (Pub. L. 93–638). That section requires that, to the greatest extent feasible, a grantee—

(1) Give to Indians preferences and opportunities for training and employment in connection with the administration of the grant; and

(2) Give to Indian organizations and to Indian-owned economic enterprises, as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452(e)), preference in the award of contracts in connection with the administration of the grant.

(b) For purposes of this section, an Indian is a member of any federally recognized Indian Tribe.

Definitions:

The definition of ''computer science'' is from the Supplemental Priorities. The definition of ''Indian organization'' is from the program regulations, 34 CFR 263.3. We are establishing the definition of ''qualifying job,'' for the FY 2018 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1).

Computer science means the study of computers and algorithmic processes and includes the study of computing principles and theories, computational thinking, computer hardware, software design, coding, analytics, and computer applications.

Computer science often includes computer programming or coding as a tool to create software, including applications, games, websites, and tools to manage or manipulate data; or development and management of computer hardware and the other electronics related to sharing, securing, and using digital information.

In addition to coding, the expanding field of computer science emphasizes computational thinking and interdisciplinary problem-solving to equip students with the skills and abilities necessary to apply computation in our digital world.

Computer science does not include using a computer for everyday activities, such as browsing the internet; use of tools like word processing, spreadsheets, or presentation software; or using computers in the study and exploration of unrelated subjects.

Indian organization means an organization that—

(1) Is legally established—

(i) By Tribal or inter-Tribal charter or in accordance with State or Tribal law; and

(ii) With appropriate constitution, by-laws, or articles of incorporation;

(2) Includes in its purposes the promotion of the education of Indians;

(3) Is controlled by a governing board, the majority of which is Indian;

(4) If located on an Indian reservation, operates with the sanction or by charter of the governing body of that reservation;

(5) Is neither an organization or subdivision of, nor under the direct control of, any institution of higher education; and

(6) Is not an agency of State or local government.

Qualifying job means employment in the participant's field of study under this program, in an LEA (including a BIE-funded school) that serves a high proportion of Indian students.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (5 U.S.C. 553) the Department generally offers interested parties the opportunity to comment on proposed priorities, requirements, definitions, and selection criteria. Section 437(d)(1) of GEPA, however, allows the Secretary to exempt from rulemaking requirements, regulations governing the first grant competition under a new or substantially revised program authority. This is the first grant competition for this program under section 6122 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (20 U.S.C. 7442) and therefore qualifies for this exemption. In order to ensure timely grant awards, the Secretary has decided to forgo public comment on certain aspects of this notice, including some of the priorities, requirements, definitions and selection criteria under section 437(d)(1) of GEPA. These priorities, requirements, definitions, and selection criteria will apply to the FY 2018 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition.

Program Authority: 20 U.S.C. 7442.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77, 79, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR

part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The regulations for this program in 34 CFR part 263. (e) The Supplemental Priorities.

Note: The open licensing requirement in 2 CFR 3474.20 does not apply for this program.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian Tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Administration has requested $37,291,000 for the Special Programs for Indian Children program for FY 2018, of which we intend to use an estimated $6,300,000 for this competition. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process before the end of the current fiscal year, if Congress appropriates funds for this program.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2019 from the list of unfunded applications from this competition.

Estimated Range of Awards: $300,000–$400,000.

Estimated Average Size of Awards: $350,000.

Maximum Award: We will not make an award exceeding $400,000 for the first, second, or third 12-month budget period. The last two 12-month budget periods will be limited to induction services only, at a cost not to exceed $120,000 per year. We will not make an award exceeding $120,000 for the fourth or fifth 12-month budget period.

Estimated Number of Awards: 18.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months. We will award grants for an initial period of not more than three years, and may renew such grants for an additional period of not more than two years if we find that the grantee is achieving the objectives of the grant.

III. Eligibility Information

1. *Eligible Applicants:*

(a) An applicant must be an eligible entity which means—

(1) An institution of higher education, including a TCU;

(2) A State educational agency in consortium with an institution of higher education;

(3) An LEA in consortium with an institution of higher education;

(4) An Indian Tribe or Indian organization in consortium with an institution of higher education; or

(5) A BIE-funded school, in consortium with at least one TCU, where feasible.

(b) Eligibility of an applicant requiring a consortium with an institution of higher education, including a TCU, requires that the institution of higher education be accredited to provide the coursework and level of degree required by the project.

(c) An applicant applying as an Indian organization must demonstrate that the entity meets the definition of ''Indian organization.''

2. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

3. *Other:* Projects funded under this competition should budget for a two-day Project Directors' meeting in Washington, DC during each year of the project period.

IV. Application and Submission Information

1. *Application Submission Instructions:* For information on how to submit an application please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the **Federal Register** on February 12, 2018 (83 FR 6003) and available at *www.gpo.gov/fdsys/pkg/FR-2018-02-12/pdf/2018-02558.pdf.*

2. *Submission of Proprietary Information:* Given the types of projects that may be proposed in applications for the Indian Education Professional Development Grants program, your application may include business information that you consider proprietary. In 34 CFR 5.11 we define ''business information'' and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended).

Because we plan to make successful applications available to the public by posting them on our website, you may wish to request confidentiality of business information. Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In the appropriate Appendix section of your application, under ''Other Attachments Form,'' please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. *Intergovernmental Review:* This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

4. *Funding Restrictions:* We specify allowable costs in 34 CFR 263.4.

A Professional Development program may include, as training costs, assistance to—

(1) Fully finance a student's educational expenses including tuition, books, and required fees; health insurance required by the institution of higher education; stipend; dependent allowance; technology costs; program required travel; and instructional supplies; or

(2) Supplement other financial aid, including Federal funding other than loans, for meeting a student's educational expenses.

The maximum stipend amount is $1,800 per month for full-time students; grantees may also provide participants with a $300 allowance per month per dependent during an academic term. The Department will reduce any stipends in excess of this amount. The terms ''stipend,'' ''full-time student,'' and ''dependent allowance'' are defined in 34 CFR 263.3. Stipends may be paid only to full-time students.

Other costs that a Professional Development program may include, but that must not be included as training costs, include costs for—

(1) Collaborating with prospective employers within the grantees' local service area to create a pool of potentially available qualifying jobs;

(2) Assisting participants in identifying and securing qualifying jobs in their fields of study following completion of the program; and

(3) Teacher mentoring programs, professional guidance, and instructional support provided by educators, local traditional leaders, or cultural experts, as appropriate for teachers during their first two years of employment as teachers.

We reference additional regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

5. *Recommended Page Limit:* The application narrative is where you, the applicant, address the selection criteria

that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to no more than 30 pages and (2) use the following standards:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial.

The recommended page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the two-page abstract, the resumes, the bibliography, the letters of support, or the signed consortium agreement, if applicable.

V. Application Review Information

1. *Selection Criteria:* The selection criteria for this competition include selection criteria taken from 34 CFR 75.210, and from the program regulations (34 CFR 263.6). We are establishing the remaining selection criteria for the FY 2018 grant competition and any subsequent year in which we make awards from the list of unfunded applications from this competition, in accordance with section 437(d)(1) of GEPA, 20 U.S.C. 1232(d)(1). The selection criteria are also listed in the application package. The maximum score for all of these criteria is 100 points. The maximum score for each criterion is indicated in parentheses.

(a) *Need for project* (GEPA Waiver) (Maximum 15 points). The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers the following factors:

(1) (Up to 5 points) The extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed by the proposed project, including the nature and magnitude of those gaps or weaknesses.

(2) (Up to 10 points) The extent to which employment opportunities exist in LEAs (including BIE-funded schools) that serve a high proportion of Indian students in the project's service area, as demonstrated through a job market analysis.

(b) *Quality of the project design* (GEPA Waiver) (Maximum 25 points). The Secretary considers the following factors in determining the quality of the design of the proposed project:

(1) (Up to 10 points) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are ambitious but also attainable and address—

(i) The number of participants expected to be recruited in the project each year;

(ii) The number of participants expected to continue in the project each year;

(iii) The number of participants expected to graduate; and

(iv) The number of participants expected to find qualifying jobs within twelve months of completion.

(2) (Up to 8 points) The extent to which the proposed project has a plan for recruiting and selecting participants, including students who may not be of traditional college age, that ensures that program participants are likely to complete the program.

(3) (Up to 7 points) The extent to which the proposed project will incorporate the needs of potential employers, as identified by a job market analysis, by establishing partnerships and relationships with appropriate entities (*e.g.,* LEAs, including BIE-funded schools, that serve a high proportion of Indian students) and developing programs that meet their employment needs.

(c) *Quality of project services* (GEPA Waiver) (Maximum 25 points). The Secretary considers the following factors in determining the quality of project services:

(1) (Up to 4 points) The likelihood that the proposed project will provide participants with learning experiences that develop needed skills for successful teaching and/or administration in LEAs, including BIE-funded schools, that serve a high proportion of Indian students.

(2) (Up to 4 points) The extent to which the proposed project prepares participants to adapt teaching and/or administrative practices to meet the breadth of Indian student needs.

(3) (Up to 6 points) The extent to which the applicant will provide job placement activities that reflect the findings of a job market analysis and needs of potential employers that serve a high proportion of Indian students.

(4) (Up to 5 points) The extent to which the applicant will offer induction services that reflect the latest research on effective delivery of such services.

(5) (Up to 6 points) The extent to which the applicant will assist participants in meeting the service obligation requirements.

(d) *Quality of project personnel* (34 CFR 263.6) (Maximum 15 points). The Secretary considers the following factors when determining the quality of the personnel who will carry out the proposed project:

(1) (Up to 4 points) The qualifications, including relevant training, experience, and cultural competence, of the project director and the amount of time this individual will spend directly involved in the project.

(2) (Up to 8 points) The qualifications, including relevant training, experience, and cultural competence, of key project personnel and the amount of time to be spent on the project and direct interactions with participants.

(3) (Up to 3 points) The qualifications, including relevant training, experience, and cultural competence (as necessary), of project consultants or subcontractors, if any.

(e) *Quality of the management plan.* (34 CFR 75.210) (Maximum 20 points). The Secretary considers the following factors when determining the quality of the management plan for the proposed project:

(1) (Up to 7 points) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits.

(2) (Up to 5 points) The adequacy of procedures for ensuring feedback and continuous improvement in the operation of the proposed project.

(3) (Up to 8 points) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.

2. *Review and Selection Process:* We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial

assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. *Risk Assessment and Special Conditions:* Consistent with 2 CFR 200.205, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 3474.10, the Secretary may impose special conditions and, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. *Integrity and Performance System:* If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently $150,000), under 2 CFR 200.205(a)(2) we must make a judgment about your integrity, business ethics, and record of performance under Federal awards—that is, the risk posed by you as an applicant—before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through the System for Award Management. You may review and comment on any information about yourself that a Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds $10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed $10,000,000.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN); or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to *www.ed.gov/fund/grant/apply/appforms/appforms.html.*

(c) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting.

4. *Performance Measures:* The Department has established the following Government Performance and Results Act of 1993 (GPRA) performance measures for the Indian Education Professional Development program: (1) The percentage of participants in administrator preparation projects who become principals, vice principals, or other school administrators in LEAs that serve American Indian and Alaska Native students; (2) the percentage of participants in teacher preparation projects who become teachers in LEAs that serve American Indian and Alaska Native students; (3) the percentage of program participants who meet State licensure requirements; (4) the percentage of program participants who complete their service requirement on schedule; (5) the cost per individual who successfully completes an administrator preparation program, takes a position in a school district that benefits American Indian/Alaska Native enrollment, and completes the service requirement in such a district; and (6) the cost per individual who successfully completes a teacher preparation program, takes a position in such a school district that benefits American Indian/Alaska Native enrollment, and completes the service requirement in such a district.

These measures constitute the Department's indicator of success for this program. Consequently, we advise an applicant for a grant under this program to give careful consideration to these measures in conceptualizing the approach and evaluation for its proposed project. Each grantee will be required to provide, in its annual performance and final reports, data about its progress in meeting these measures.

5. *Continuation Awards:* In making a continuation award under 34 CFR 75.253, the Secretary considers, among other things: Whether a grantee has made substantial progress in achieving the goals and objectives of the project; whether the grantee has expended funds in a manner that is consistent with its approved application and budget; and, if the Secretary has established performance measurement requirements, the performance targets in the grantee's approved application.

In making a continuation award, the Secretary also considers whether the grantee is operating in compliance with the assurances in its approved application, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

Pursuant to section 6122(g) of the ESEA, the Secretary will award grants for an initial period of not more than three years, and may renew such grants for an additional period of not more than two years if the Secretary finds that the grantee is achieving the objectives of the grant.

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department

published in the **Federal Register**, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: June 11, 2018.

Jason Botel,

Principal Deputy Assistant Secretary, Delegated the Authority to Perform the Functions and Duties of the Assistant Secretary of Elementary and Secondary Education.

[FR Doc. 2018–12823 Filed 6–13–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket No.: ED–2018–ICCD–0036]

Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Comment Request; U.S. Department of Education Pre-Authorized Debit Account Brochure and Application

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before July 16, 2018.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use *http://www.regulations.gov* by searching the Docket ID number ED–2018–ICCD–0036. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at *http://www.regulations.gov* by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 400 Maryland Avenue SW, LBJ, Room 216–34, Washington, DC 20202–4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, 202–377–4018.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: U.S. Department of Education Pre-Authorized Debit Account Brochure and Application.

OMB Control Number: 1845–0025.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 1,667.

Total Estimated Number of Annual Burden Hours: 138.

Abstract: The Pre-authorized Debit Account Brochure and Application (PDA Application) serves as the means by which an individual with a defaulted federal education debt (student loan or grant overpayment) that is held by the U.S. Department of Education (ED) requests and authorizes the automatic debiting of payments toward satisfaction of the debt from the borrower's checking or savings account. The PDA Application explains the automatic debiting process and collects the individual's authorization for the automatic debiting and the bank account information needed by ED to debit the individual's account.

Dated: June 11, 2018.

Kate Mullan,

Acting Director, Information Collection Clearance Division, Office of the Chief Privacy Officer, Office of Management.

[FR Doc. 2018–12776 Filed 6–13–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket ID ED–2018–FSA–0015]

Privacy Act of 1974; Matching Program

AGENCY: Federal Student Aid, Department of Education.

ACTION: Notice of a New Matching Program; correction.

SUMMARY: On June 1, 2018, we published in the **Federal Register** a notice of the renewal of the computer matching program between the Department of Education (ED) (recipient agency) and the Department of Justice (DOJ) (source agency). This notice corrects the Docket ID number.

DATES: Submit your comments on the proposed matching program on or before July 2, 2018.

SUPPLEMENTARY INFORMATION:

Correction

In FR Doc. 2018–11856, on page 25446 in the right-hand column, after the Department of Education agency heading, we correct the Docket ID number to ED–2018–FSA–0015.

Program Authority: 5 U.S.C. 552a; 21 U.S.C. 862(a)(1).

FOR FURTHER INFORMATION CONTACT: Marya Dennis, Management and Program Analyst, U.S. Department of Education, Federal Student Aid, Union Center Plaza, 830 First Street NE, Washington, DC 20202–5454. Telephone: (202) 377–3385.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service, toll free, at 1–800–877–8339.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (*e.g.,* braille, large print, audiotape, or compact disc) on request to the person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations via the Federal Digital System at: *www.gpo.gov/fdsys.* At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in

text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: *www.federalregister.gov.* Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: June 11, 2018.

James F. Manning,

Acting Chief Operating Officer Federal Student Aid.

[FR Doc. 2018–12822 Filed 6–13–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

International Energy Agency Meetings

AGENCY: Department of Energy.

ACTION: Notice of meetings.

SUMMARY: The Industry Advisory Board (IAB) to the International Energy Agency (IEA) will meet on June 26, 2018, at at the UIC–P, 16 Rue Jean Rey, 75015 Paris, France, in connection with a joint meeting of the IEA's Standing Group on Emergency Questions (SEQ) and the IEA's Standing Group on the Oil Market (SOM) on June 27, 2018. There will be a meeting involving members of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) in connection with the IEA's 9th Emergency Response Exercise (ERE9) to be held at the OECD Conference Centre, 2 Rue André-Pascal, 75016 Paris, France, on June 28–29, 2018.

DATES: June 26–29, 2018.

ADDRESSES: UIC–P, 16 Rue Jean Rey, 75015 Paris, France; 2 Rue André-Pascal, 75016 Paris, France.

FOR FURTHER INFORMATION CONTACT: Thomas Reilly, Assistant General Counsel for International and National Security Programs, Department of Energy, 1000 Independence Avenue SW, Washington, DC 20585, 202–586–5000.

SUPPLEMENTARY INFORMATION: In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272(c)(1)(A)(i)) (EPCA), the following notice of meetings is provided:

A meeting of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held at the UIC–P, 16 Rue Jean Rey, 75015 Paris, France, commencing at 9:30 a.m. on June 26, 2018. The purpose of this notice is to permit attendance by representatives of U.S. company members of the IAB at a meeting of the IEA's Standing Group on Emergency Questions (SEQ), which is scheduled to be held at the same location and time. The IAB will also hold a preparatory meeting among company representatives at the same location at 8:30 a.m. on June 26. The agenda for this preparatory meeting is to review the agenda for the SEQ meeting.

The agenda of the meeting is under the control of the SEQ and the SOM. It is expected that the SEQ and the SOM will adopt the following agenda:

Closed SEQ Session—IEA Member Countries Only

1. Adoption of the Agenda
2. Approval of the Summary Record of the 153rd Meeting
3. Status of Compliance with IEP Agreement Stockholding Obligations—Presentation by the Secretariat
4. Update on the Ministerial Mandates/Oil Stockholding System Revision Work

Open SEQ Session—Open to Association Countries

5. Cost-benefit of Stockholding Study—Presentation by the Secretariat
6. Mid-term Review of Norway—Presentation by the Administration
7. Update of Saving Oil in a Hurry—Presentation by the Secretariat
8. Industry Advisory Board Update
9. Emergency Response Review of Japan—Presentation by the Secretariat
10. ASEAN+6 Energy Security Study—Presentation by the Secretariat
11. Mid-term Review of Poland—Presentation by the Administration
12. ERE9—Presentation by the Secretariat
13. Bilateral Stocks in Non-OECD Countries—Presentation by Australia
14. Outreach—Presentation by the Secretariat
15. Oral Reports by Administrations
    —Netherlands (Groningen & Bonaire)
    —Mexico (Natural gas workshop)
    —Denmark (Digitalization/Cyber security)
16. Other Business
    —ERR Programme

Schedule of SEQ & SOM Meetings 2018 & 2019

—27–29 November 2018
—19–21 March 2019
—25–27 June 2019
—22–24 October 2019

A meeting of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held in UNESCO, Room IX (N° 9), 7 place de Fontenoy, 75007 Paris, France, commencing at 09:30 on June 27, 2018. The purpose of this notice is to permit attendance by representatives of U.S. company members of the IAB at a joint meeting of the IEA's Standing Group on Emergency Questions (SEQ) and the IEA's Standing Group on the Oil Market (SOM), which is scheduled to be held at the same location and time.The agenda of the SEQ meeting is under the control of the SEQ. It is expected that the SEQ will adopt the following agenda:

Start Meeting/Introduction

17. Adoption of the Agenda
18. Approval of Summary Record of 20 March 2018
19. Reports on Recent Oil Market and Policy Developments in IEA Countries
20. Update on the Current Oil Market Situation: followed by Q&A
21. Presentation: ''Gas 2018—''Analysis & forecasts to 2023'' followed by Q&A
22. Presentation: ''Global refining trends'' followed by Q&A
23. Presentation: ''Oil demand growth: the importance of petrochemicals'' followed by Q&A
24. Presentation: ''Chevron's long term outlook'' followed by Q&A
25. Presentation: ''Digitilization & the oil sector''—followed by Q&A
26. Presentation: ''Global electric vehicles outlook 2018'' followed by Q&A
27. Other Business
    —Tentative schedule of the next SOM meeting: 27 November 2018, Location TBC

A meeting involving members of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) in connection with the IEA's 9th Emergency Response Exercise (ERE9) will be held at the OECD Conference Centre, 2 Rue André-Pascal, 75016 Paris, France, on June 28–29, 2018.

The agenda for ERE9 is under the control of the IEA. It is expected that the IEA will adopt the following agenda:

Day One: 28 June

Welcome to ERE9

Training: Session 1

—The IEA and Energy Security: Overview
—Oil Markets During a Supply Disruption
—IEA Emergency Response System
—Emergency Data Collection

Training: Session 2

—Media Perspective: The Role of Messaging During a Supply Disruption
—Analysis of a Previous ERE Scenario

ERE9 Disruption Simulation: Goals and Ground Rules

Supply Disruption Scenario 1: Introduction and Breakout Session
Supply Disruption Scenario 1: Discussion of Group Responses
Recap of Day 1

Day 2: 29 June

Supply Disruption Scenario 2: Introduction and Breakout Session
Supply Disruption Scenario 2: Discussion of Group Responses
Supply Disruption Scenario 3: Introduction and Plenary Discussion
ERE9 Round-Up: Key Takeaways
Concluding Remarks

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act (42 U.S.C. 6272(c)(1)(A)(ii)), the meetings of the IAB are open to representatives of members of the IAB and their counsel; representatives of members of the IEA's Standing Group on Emergency Questions and the IEA's Standing Group on the Oil Markets; representatives of the Departments of Energy, Justice, and State, the Federal Trade Commission, the General Accounting Office, Committees of Congress, the IEA, and the European Commission; and invitees of the IAB, the SEQ, the SOM, or the IEA.

Issued in Washington, DC, June 11, 2018.

Thomas Reilly,

Assistant General Counsel for International and National Security Programs.

[FR Doc. 2018–12781 Filed 6–13–18; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2015–0769; FRL–9978–37]

Difenacoum; Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is issuing a notice of receipt of requests by the registrant to voluntarily cancel its registrations of products containing the pesticide difenacoum. The requests would terminate the last difenacoum products registered for use in the United States. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrant withdraws its requests. If these requests are granted, any sale, distribution, or use of products listed in this notice will be permitted after the registration has been cancelled only if such sale, distribution, or use is consistent with the terms as described in the final order.

DATES: Comments must be received on or before July 16, 2018.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2015–0769, 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: Julie Javier, Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (703) 347–0790; email address: *javier.julie@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

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

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

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

II. Background on the Receipt of Requests To Cancel Registrations

This notice announces receipt by EPA of requests from registrant Woodstream Corporation to cancel all their difenacoum product registrations. Difenacoum is a second generation anticoagulant rodenticide used in and around homes, buildings, and in commercial transportation vehicles. It is formulated as ready-to-use pelleted bait to control rats and mice. In letters dated October 19, 2017 and April 4, 2018, Woodstream Corporation requested EPA to cancel the pesticide product registrations identified in Table 1 of Unit III. They also requested that the timeframe for the existing stocks provisions be two years from the date of the 90-day response to the GDCI, *i.e.,* to October 18, 2019. (The 90-day response to the DCI is dated October 19, 2017, where the registrant requested to cancel EPA Registration Nos. 36488–66 and 47629–12. They followed this up with a request dated April 4, 2018, to cancel the rest of the registrations identified in Table 1 of Unit III.) The registrant does not expect any significant adverse effects to public health or the environment as a result. The registrant's request will terminate the last difenacoum products registered in the United States.

III. What action is the Agency taking?

This notice announces receipt by EPA of requests from a registrant to cancel all difenacoum product registrations. The affected products and the registrant making the requests are identified in Tables 1 and 2 of this unit.

Unless a request is withdrawn by the registrant or if the Agency determines that there are substantive comments that warrant further review of this request, EPA intends to issue an order canceling the affected registrations.

TABLE 1—DIFENACOUM PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR CANCELLATION

Registration No.	Product name	Company
36488–63	Difenacoum Rat and Mouse Block IV	Woodstream Corporation.
36488–64	Difenacoum Rat and Mouse Place Packs IV	Woodstream Corporation.
36488–65	Difenacoum Rat and Mouse Pellets IV	Woodstream Corporation.
36488–66	Technical Difenacoum	Woodstream Corporation.
47629–12	Difenacoum Technical	Woodstream Corporation.
47629–14	Difenacoum Rat and Mouse Pellets	Woodstream Corporation.
47629–16	Difenacoum Rat and Mouse Block	Woodstream Corporation.
47629–17	Difenacoum Rat and Mouse Place Packs	Woodstream Corporation.

Table 2 of this unit includes the names and addresses of record for the registrant of the products listed in Table 1 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in Table 1 of this unit.

TABLE 2—REGISTRANTS REQUESTING VOLUNTARY CANCELLATION AND/OR AMENDMENTS

EPA Company No.	Company name and address
36488	Woodstream Corporation, 69 N Locust St., P.O. Box 327, Lititz, PA 17543.
47629	Woodstream Corporation, 69 N Locust St., P.O. Box 327, Lititz, PA 17543.

IV. What is the Agency's authority for taking this action?

Section 6(f)(1) of FIFRA (7 U.S.C. 136d(f)(1)) provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**.

Section 6(f)(1)(B) of FIFRA (7 U.S.C. 136d(f)(1)(B)) requires that before acting on a request for voluntary cancellation, EPA must provide a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, FIFRA section 6(f)(1)(C) (7 U.S.C. 136d(f)(1)(C)) requires that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The EPA Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

Since difenacoum is not registered for minor agricultural use, the provision for a 180-day comment period does not apply. Accordingly, EPA will provide a 30-day comment period on the proposed requests.

V. Procedures for Withdrawal of Requests

Registrants who choose to withdraw a request for product cancellation or use deletion should submit the withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**. If the products have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products that are currently in the United States and that were packaged, labeled, and released for shipment prior to the effective date of the action. If the requests for voluntary cancellation are granted, the Agency intends to publish the cancellation order in the **Federal Register**.

In any order issued in response to these requests for cancellation of product registrations, EPA proposes to include the following provisions for the treatment of any existing stocks of the products listed in Table 1 of Unit III.

For these voluntary product cancellations, the registrant will be permitted to sell and distribute existing stocks of voluntarily canceled products until October 18, 2019, which is two years from the date of the 90-day response to the GDCI, as requested by the registrant. Thereafter, the registrant will be prohibited from selling or distributing the products identified in Table 1 of Unit III., except for export consistent with FIFRA section 17 (7 U.S.C. 136o) or for proper disposal.

Persons other than the registrant may sell, distribute, or use existing stocks of canceled products until supplies are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

Authority: 7 U.S.C. 136 *et seq.*

Dated: June 4, 2018.

Yu-Ting Guilaran,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

[FR Doc. 2018–12815 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2018–0278; FRL–9978–55]

Ortho-Phthalaldehyde; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received a specific exemption request from the National Aeronautics and Space Administration (NASA) to use the pesticide ortho-phthalaldehyde (OPA) (CAS No. 643–79–8) to treat the coolant fluid of the internal active thermal control system of the International Space Station to control aerobic/microaerophilic bacteria in the aqueous coolant. The applicant proposes the use of a chemical which is not registered by EPA. Accordingly, as required by the Code of Federal Regulations, EPA is publishing this notice of receipt to allow public comment.

DATES: Because of the long lead time required for acquiring and sending products to the International Space Station (ISS), and because this is a

repeat of a previously-approved emergency exemption request, EPA has approved NASA's request in advance of publication of this Notice in accordance with 40 CFR 166.24(c). Accordingly, there is no prescribed period for submitting comments. EPA still welcomes public comment on the request, and notes that EPA's regulations provide that an emergency exemption may be modified or revoked if, among other things, additional information indicates that the product may cause unreasonable adverse effects or may not be effective at controlling the target pests. Accordingly, the Agency will review all comments received in response to this Notice, and consider whether any such comments identify a need for modification or revocation of the specific exemption.

ADDRESSES: Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2018–0278, by one of the following methods:

- *Federal eRulemaking Portal: https://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 *https://www.epa.gov/dockets/where-send-comments-epa-dockets.*

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

FOR FURTHER INFORMATION CONTACT: Michael L. Goodis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (703) 305–7090; email address: *RDFRNotices@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 pesticide manufacturer (NAICS code 32532) or involved with the International Space Station. This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed could also be affected.

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 *https://www.epa.gov/dockets/commenting-epa-dockets.*

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 pesticide(s) discussed in this document, compared to the general population.

II. What action is the Agency taking?

Under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), at the discretion of the EPA Administrator, a Federal or State agency may be exempted from any provision of FIFRA if the EPA Administrator determines that emergency conditions exist which require the exemption. NASA has requested the EPA Administrator to issue a specific exemption for the use of ortho-phthalaldehyde (OPA) in the coolant of the internal active thermal control system (IATCS) of the International Space Station (ISS) to control aerobic/microaerophilic bacteria in the aqueous coolant. Information in accordance with 40 CFR part 166 was submitted as part of this request.

As part of this request, the applicant stated that it has considered the registered biocide alternatives and has concluded that OPA is the most effective biocide which meets the requisite criteria including: The need for safe, non-intrusive implementation and operation in a functioning system; the ability to control existing planktonic and biofilm-residing micro-organisms; a negligible impact on system-wetted materials of construction; and a negligible reactivity with existing coolant additives. The ISS would not have an adequate long-term solution for controlling the micro-organisms in the IATCS coolant without the use of OPA. The OPA is incorporated into a porous resin material contained in a stainless-steel canister. The canister containing the OPA-incorporated resin is inserted into a coolant system loop, using flexible hose and quick disconnects, and is placed in-line for 8 hours to deliver the OPA into the fluid. As the coolant fluid flows through the canister, the OPA elutes from the resin material into the coolant fluid. The total volume of the circulatory loops of the IATCS is 829 liters. The maximum concentration would be 500 mg of OPA per liter of coolant fluid. A total of 414,500 mg of OPA would be needed for the entire system. The OPA is incorporated into the resin at 210 mg OPA per cm^3 resin, resulting in a potential total use of 1,974 cm^3 of the OPA-containing resin. The level of OPA in the coolant is monitored periodically, and because OPA degrades over time, the concentration decreases to a level that is no longer effective in about 1 to 2 years. At this point, replenishment with new OPA-containing canisters is required. EPA has authorized similar emergency exemptions for this use since 2011. With the decision to extend the mission of the ISS to 2024, the need for this use is expected to continue for the duration.

Previous notices of applications for emergency exemptions for this same use of OPA in the ISS IATCS have not elicited significant substantive comment. Owing to NASA's need for an expedited decision, the negligible human and environmental exposures expected from the proposed emergency use, and the absence of registered alternatives that meet the ISS IATCS criteria, EPA has approved this emergency exemption request prior to receipt of public comments, consistent with 40 CFR 166.24(c). EPA's regulations provide that an emergency exemption may be modified or revoked if, among other things, additional information indicates that the product

may cause unreasonable adverse effects or may not be effective at controlling the target pests. Accordingly, EPA still welcomes comments on this request and will review all comments received in response to this Notice, and consider whether any such comments identify a need for modification or revocation of the specific exemption.

Authority: 7 U.S.C. 136 *et seq.*

Dated: June 6, 2018.

Michael L. Goodis,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 2018–12803 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2018–0209; FRL–9979–03–OEI]

Proposed Information Collection Request; Extension of Comment Period; Cross-State Air Pollution Rule and Texas SO_2 Trading Programs (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period.

SUMMARY: The Environmental Protection Agency (EPA) issued a notice in the **Federal Register** of April 16, 2018, opening a 60-day comment period for an information collection request (ICR), Cross-State Air Pollution Rule and Texas SO_2 Trading Programs (Renewal), that EPA is planning to submit to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (PRA). Although the notice published in the **Federal Register** on April 16, 2018, EPA did not make publicly available on *https://www.regulations.gov* the docket for this action until May 15, 2018. EPA is extending the comment period until July 14, 2018, to allow for the full 60-day comment period.

DATES: Comments must be received on or before July 14, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2018–0209, online using *https://www.regulations.gov* (our preferred method), by email to *a-and-r-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: Karen VanSickle, Clean Air Markets Division, Office of Air and Radiation, (6204M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: 202–343–9220; fax number: 202–343–2361; email address: *vansickle.karen@epa.gov.*

SUPPLEMENTARY INFORMATION: This document extends the public comment period established in the **Federal Register** document of April 16, 2018 (83 FR 16357) from June 15, 2018, to July 14, 2018. In that document, EPA opened a 60-day comment period for the proposed renewal of the ICR, Cross-State Air Pollution Rule and Texas SO_2 Trading Programs (Renewal)'' (EPA ICR No. 2391.05, OMB Control No. 2060–0667). The docket for this action was not made available on *https://www.regulations.gov* until May 15, 2018. As a result, EPA is extending the comment period for 29 days until July 14, 2018.

Courtney Kerwin,

Director, Regulatory Support Division.

[FR Doc. 2018–12770 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPPT–2018–0398; FRL–9979–26]

Agency Information Collection Activities; Pre-Manufacture Review Reporting and Exemption Requirements for New Chemical Substances and Significant New Use Reporting Requirements for Chemical Substances; Emergency Processing Request Submitted to OMB

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has submitted an amendment to the following information collection request (ICR) to the Office of Management and Budget (OMB) for emergency processing in accordance with the Paperwork Reduction Act (PRA): ''Pre-Manufacture Review Reporting and Exemption Requirements for New Chemical Substances and Significant New Use Reporting Requirements for Chemical Substances'' and identified by EPA ICR No. 0574.17 and OMB Control No. 2070–0012. The ICR, which is available in the docket along with other related materials, provides a detailed explanation of the collection activities and the burden estimate that is summarized in this document.

DATES: EPA requested that OMB approve the emergency processing request on or before June 11, 2018.

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2018–0398, is available at *http://www.regulations.gov.* A public version of the docket is available for inspection and copying between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding federal holidays, at the U.S. Environmental Protection Agency, EPA Docket Center Reading Room, WJC West Building, Rm. 3334, 1301 Constitution Avenue NW, Washington, DC 20004. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Brandon Mullings, Environmental Assistance Division (MC 7408M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–4826 email address: *mullings.brandon@epa.gov.*

SUPPLEMENTARY INFORMATION:

Docket: Supporting documents, including the ICR that explains in detail the information collection activities and the related burden and cost estimates that are summarized in this document, are available in the docket for this ICR. The docket can be viewed online at *http://www.regulations.gov* or in person at the EPA Docket Center, West William Jefferson Clinton Bldg., Rm. 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.*

ICR status: EPA is seeking emergency processing of amendments to an existing, approved ICR that is currently scheduled to expire on November 30, 2018.

The Agency is issuing additional reporting guidance to help submitters better address the recently-amended requirements for new chemicals under the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601 *et seq.*). Under the PRA, 44 U.S.C. 3501 *et seq.,* an agency may ask OMB to authorize a collection of information if the agency has determined that the collection is needed prior to the expiration of time periods established under the PRA if the agency determines that the agency cannot reasonably comply with the

normal clearance procedures under the PRA, because either public harm is reasonably likely to result if normal clearance procedures are followed, an unanticipated event has occurred, or the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information or is reasonably likely to cause a statutory or court ordered deadline to be missed.

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 are displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers for certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: The Frank R. Lautenberg Chemical Safety for the 21st Century Act, immediately effective upon its enactment on June 22, 2016, made significant amendments to TSCA, including imposing a number of new responsibilities related to new chemical reviews. Specifically, TSCA section 5 requires that EPA now assess a new chemical under the ''conditions of use,'' which is defined as the circumstances, as determined by the Administrator, under which the chemical is intended, known or reasonably foreseen to be manufactured, processed, distributed in commerce, used or disposed of. TSCA also now requires that EPA make one of five affirmative determinations on the new chemical within the statutory review period. The new determination requirement has resulted in a backlog of section 5 submissions awaiting final action.

In an effort to avoid future delays and backlogs and to assist respondents in preparing a Premanufacture Notice (PMN), Significant New Use Notice (SNUN), or exemption notice (*e.g.,* Low Volume Exemption or LVE) (hereinafter collectively referred to as ''notifications'') submissions in a manner that satisfies the amended TSCA section 5 requirements, EPA developed a non-binding guidance document, entitled ''*Points to Consider When Preparing TSCA New Chemical Notifications*''. To the extent that respondents are able to take information presented in the Points to Consider document into account prior to preparing and submitting a PMN, SNUN, or exemption notice, EPA also anticipates that more robust submissions will improve the factual bases for determinations on new chemical notices, speed review, and reduce the frequency of interactions with submitters in cases where EPA has questions about the submission. The Points to Consider document is urgently needed for a more timely and efficient new chemical review process. Complying with the normal clearance procedures for approval of the reporting guidance provided in the Points to Consider document could disrupt the collection of information by preventing companies from accessing applicable and helpful EPA guidance with respect to PMNs and SNUNs submitted prior to OMB approval of the ICR and cause harm due to the ensuing delays in marketing new chemical substances because companies do not have access to the guidance.

Respondents/affected entities: Entities potentially affected by this ICR are manufacturers (including importers) and processors of new chemical substances.

Respondent's obligation to respond: Mandatory (15 U.S.C. 2604).

Estimated total number of potential respondents: 443.

Frequency of response: On occasion.

Estimated total burden: 117,176 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Estimated total costs: $34,389,692 (per year), includes no annualized capital investment or maintenance and operational costs.

Changes in the estimates: There is an increase of 1,379 hours in the total estimated respondent burden compared with that identified in the ICR currently approved by OMB. This increase reflects the estimated additional time associated with reading the new guidance document before preparing and submitting a PMN, SNUN, or exemption notice (about 1.4 hours per response). This burden increase is the result of a program change.

Authority: 44 U.S.C. 3501 *et seq.*

Dated: June 7, 2018.

Charlotte Bertrand,

Acting Principal Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention.

[FR Doc. 2018–12811 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–9979–12—Region 10]

Approval of the Application by the State of Idaho To Administer the National Pollutant Discharge Elimination System (NPDES) and Electronic Reporting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On June 5, 2018, the Administrator for the Environmental Protection Agency approved the application by the State of Idaho to administer and enforce the Idaho Pollutant Discharge Elimination System (IPDES) program pursuant to the Clean Water Act. Concurrent with this approval, EPA is also approving IPDES program for electronic reporting. The Idaho Department of Environmental Quality (IDEQ) will administer the approved IPDES program regulating discharges of pollutants into waters of the United States under its jurisdiction as described in the state's program application. EPA has approved the State's implementation plan that transfers the administration of specific program components from EPA to the State over a four-year period in accordance with the Memorandum of Agreement between IDEQ and EPA R10 (MOA) and subject to EPA oversight and enforcement. EPA will suspend issuance of NPDES permits in Idaho in accordance with the State's approved schedule to transfer NPDES program authority. EPA will retain the authority to issue NPDES permits for facilities located on tribal lands and/or discharging to tribal waters.

DATES: On June 5, 2018, the Administrator approved Idaho's IPDES program including electronic reporting.

FOR FURTHER INFORMATION CONTACT: Visit EPA's web page at *https://www.epa.gov/npdes-permits/idaho-npdes-program-authorization* or contact Karen Burgess, NPDES Permits Unit, EPA Region 10; (206) 553–1644; *burgess.karen@epa.gov.* The State's application, supporting documentation and EPA's response to comments received during the public comment period and hearings may be viewed or downloaded from EPA's web page. The IDEQ contact is Mary Anne Nelson, IPDES Program Manager; *mary.anne.nelson@deq.idaho.gov*; (208) 373–0291. IDEQ's application, related documents and program development documents may be viewed or downloaded from the IDEQ website

http://www.deq.idaho.gov/water-quality/ipdes/program-application/.

SUPPLEMENTARY INFORMATION:

General Information

A. Does this action apply to me?

Entities potentially affected by this action are: The EPA; tribal programs; and the regulated community and citizens within the state of Idaho. This table is not intended to be exhaustive; rather, it provides a guide for readers regarding entities that this action is likely to regulate.

TABLE 1—ENTITIES POTENTIALLY AFFECTED BY THIS PROPOSED APPROVAL

Category	Examples of potentially affected entities
State and Indian Tribal Governments	States and Indian Tribes that provide certification under section 401 of the CWA; States and Indian Tribes that own or operate treatment works.
Municipalities	POTWs required to apply for or seek coverage under an NPDES individual or general permit and to perform routine monitoring as a condition of an NPDES permit.
Industry	Facilities required to apply for or seek coverage under an NPDES individual or general permit and to perform routine monitoring as a condition of an NPDES permit.
NPDES Stakeholders	Any party that may review and provide comments on NPDES permits.
Citizens of the state of Idaho	Any party that may review and provide comments on NPDES permits.

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

B. What action is EPA taking?

EPA approved the State of Idaho's IPDES program granting IDEQ the authority to administer the NPDES program in Idaho to regulate discharges of pollutants into waters of the United States under its jurisdiction. Concurrent with this approval, EPA is also approving IPDES program for electronic reporting under the NPDES and pretreatment programs.

C. What is EPA's authority for taking this action?

The CWA created the NPDES program under which EPA may issue permits authorizing the point source discharge of pollutants to waters of the United States under conditions required by the Act. The CWA provides that EPA shall approve a State to administer its own permit program, upon the Governor's request, provided that EPA has determined that the State has adequate authority and a program sufficient to meet the Act's requirements. 33 U.S.C. 1342(b). The regulatory requirements for state program approval are set forth in 40 CFR part 123 (*https://www.ecfr.gov/*); subpart B provides the requirements of state program submissions, which IDEQ refers to as the IPDES program application. EPA may approve a partial and phased program under CWA section 402(n)(4). 33 U.S.C. 1342(n)(4).

Pursuant to CWA section 402(d), 33 U.S.C. 1342(d), EPA can object to draft IPDES permits proposed by IDEQ and, if the objections are not resolved, the authority to issue such permits transfers to EPA. EPA retains enforcement authorities under CWA sections 308, 309, 402(i) and 504 and may take enforcement actions if EPA determines that the State has not taken timely and/or appropriate enforcement actions for IPDES program violations as authorized under those provisions.

Public notice of the application: On August 11, 2017, EPA initiated the public comment period for the IPDES program application in the **Federal Register** (82 FR 37583) pursuant to 40 CFR 123.61. The public process included informational meetings and public hearings in the following five Idaho cities on the dates set forth:

September 11, 2017 at Central Public Library in Idaho Falls.

September 12, 2017 at Twin Falls Public Library.

September 13, 2017 at Boise Public Library.

September 14, 2017 at Lewiston Community Center.

September 15, 2017 at Coeur d'Alene Public Library.

These meetings included an overview of both the federal and state programs and provided an opportunity for question and answer. Each informational meeting was immediately followed by a public hearing in accordance with 40 CFR 124.12 and provided interested parties with the opportunity to give written and/or oral testimony into the official record. All comments received by EPA were considered and responded to by EPA with the final IPDES program approval. Information about the IPDES Program Application is available in the **Federal Register** document for the application and the response to comments is available from EPA's web page *https://www.epa.gov/npdes-permits/idaho-npdes-program-authorization.*

IPDES program summary: As required under section 402(b) of the CWA, 33 U.S.C. 1342(b), and 40 CFR 123.22, the IPDES program description specifies how IDEQ will administer the NPDES program. IDEQ will issue IPDES permits under their jurisdiction; conduct compliance and enforcement activities; gather and maintain NPDES records and report to EPA; and oversee the regulated activities of all IPDES-permitted facilities. EPA will retain the authority to issue NPDES permits for facilities located on tribal lands and/or discharging to tribal waters. The scope of IDEQ permitting authority includes individual and general permits for discharges to waters of the United States from facilities or activities, including industrial (*e.g.,* commercial, mining, oil and gas, and silviculture discharges; animal feeding operations; and aquatic animal production facilities) and municipal wastewater treatment facilities (*e.g.,* publicly and privately owned treatment works); discharges to waters of the United States from federal facilities; storm water discharges, including municipal separate storm sewer systems, construction and industrial storm water general permits, and individual permits for storm water discharges; sewage sludge (biosolids) program under 40 CFR part 503; and the pretreatment program under 40 CFR part 403. IDEQ will not have authority to regulate discharges incidental to the normal operation of a non-military, non-recreational vessel operating in a capacity as a means of transportation. Instead, EPA has the authority under CWA section 402, 33 U.S.C. 1342, to regulate those discharges from non-military, non-recreational vessels and all ballast water discharges.

IDEQ will assume permitting and compliance authority for the NPDES program in four phases. EPA will retain full permitting and compliance authority for the relevant major component(s) until that authority is transferred to IDEQ in accordance with

the following schedule of anticipated transfer dates:

Phase I—Individual Municipal Permits and Pretreatment on July 1, 2018.

Phase II—Individual Industrial Permits on July 1, 2019.

Phase III—General Permits (Aquaculture, Pesticide, CAFO, Suction Dredge, Remediation) on July 1, 2020.

Phase IV—Federal Facilities, General and Individual Stormwater Permits and Biosolids on July 1, 2021.

Public process and tribal consultation: EPA opened a 60-day public comment period that ended on October 10, 2017. In addition, EPA held public hearings during the week of September 11, 2017, to accept comments on the IPDES program application. The *Response to Comments and Testimony* compiles all comments and testimony submitted to EPA during the public comment period and provides EPA's response to those comments available at EPA's website.

A total of 18 comment letters and testimonials were received during the comment period. Of those 18, 10 commenters expressed support for the transfer of NPDES authority to IDEQ. One commenter expressed a general concern about IDEQ's ability to adequately run a program that sufficiently protects the environment. The remaining 7 commenters provided specific comments about the IPDES program application or IPDES program. EPA provided responses to all comments. No comments resulted in changes to the IPDES program application as provided with the **Federal Register** document for the IPDES program application.

EPA engaged with all five federally-recognized Idaho tribes (Shoshone-Bannock Tribe, Shoshone-Paiute Tribe, Nez Perce Tribe Council, Coeur d'Alene Tribe and the Kootenai Tribe) and two federally-recognized Eastern Washington tribes (Kalispell Tribe and Spokane Tribes). EPA participated in several meetings with the Tribes that were held before and after the public comment period. The primary outcome of the tribal meetings was the development of IDEQ's *IPDES Tribal Participation Process.* This document establishes the process by which IDEQ will provide early notification of and participation in permit issuance activities with interested tribes, available at IDEQ's website *http://www.deq.idaho.gov/media/60181337/ipdes-tribal-participation-process.pdf.*

CROMERR: On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the **Federal Register** (70 FR 59848) and codified under 40 CFR part 3. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Per the requirements of 40 CFR 3.2(b)(2), ''A state, tribe, or local government that is applying for initial delegation, authorization, or approval to administer a federal program or a program in lieu of the federal program, and that will allow document submission requirements under the program to be satisfied with an electronic document, must use the procedures for obtaining delegation, authorization, or approval under the relevant part of Title 40 and may not use the procedures set forth in 40 CFR 3.1000; but the application must contain the information required by 40 CFR 3.1000(b)(1) and the state, tribe, or local government must meet the requirements of 40 CFR 3.2000.''

IDEQ will implement the National Network Discharge Monitoring Report System (National NetDMR) and Shared CROMERR Services (SCS) electronic document receiving system in accordance with the application submitted by IDEQ to EPA on March 26, 2018. The application anticipated concurrent approval with the State's 40 CFR part 123 (NPDES State Program Requirements) and part 403 (General Pretreatment Regulations for Existing and New Source of Pollution) programs to allow electronic reporting under 40 CFR parts 122, 125, and 403–471. EPA has reviewed IDEQ's application and determined both that the application contains the information required 40 CFR 3.1000(b)(1) and that IDEQ's National NetDMR and SCS systems comply with the requirements for electronic document receiving systems in 40 CFR 3.2000. This approval is effective upon the date of this publication in the **Federal Register**.

Decision process: The State of Idaho submitted the IPDES program application to EPA on August 31, 2016. EPA reviewed the application pursuant to 40 CFR part 123, subpart B and the application was deemed complete by EPA on September 30, 2016. In accordance with 40 CFR 123.21(d), IDEQ requested and EPA agreed to extend the statutory review period for the application until June 30, 2018. Pursuant to 40 CFR 123.61, on August 11, 2017, EPA initiated the 60-day public comment period as noticed in the **Federal Register** (82 FR 37583). After the close of the public comment period, completion of the required tribal consultation and responding to comments, the EPA Administrator approved the IPDES program based on the requirements of section 402 of the CWA, 33 U.S.C. 1342, and 40 CFR part 123. IDEQ and the Regional Administrator signed the MOA prior to final IPDES program approval on June 5, 2018. Upon approval, the Administrator notified the State of Idaho.

Authority: This action is taken under the authority of section 402 of the Clean Water Act as amended, 33 U.S.C. 1342. I hereby provide public notice of EPA's final action authorizing the State of Idaho through IDEQ to administer the approval IPDES program regulating discharges of pollutants to waters of the U.S. under its jurisdiction.

Dated: June 5, 2018.

E. Scott Pruitt,

Administrator.

[FR Doc. 2018–12806 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2018–0007; FRL–9978–34]

Pesticide Product Registration; Receipt of Applications for New Active Ingredients

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received applications to register pesticide products containing active ingredients not included in any currently registered pesticide products. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

DATES: Comments must be received on or before July 16, 2018.

ADDRESSES: Submit your comments, identified by the Docket Identification (ID) Number and the File Symbol of interest as shown in the body of this document, by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please

follow the instructions at *http://www.epa.gov/dockets/contacts.html.*

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

FOR FURTHER INFORMATION CONTACT: Robert McNally, Biopesticides and Pollution Prevention Division (BPPD) (7511P), main telephone number: (703) 305–7090, email address: *BPPDFRNotices@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 application 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).

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

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

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

II. Registration Applications

EPA has received applications to register pesticide products containing active ingredients not included in any currently registered pesticide products. Pursuant to the provisions of FIFRA section 3(c)(4) (7 U.S.C. 136a(c)(4)), EPA is hereby providing notice of receipt and opportunity to comment on these applications. Notice of receipt of these applications does not imply a decision by the Agency on these applications.

Notice of Receipt—New Active Ingredients

1. *File symbol:* 91283–A. *Docket ID number:* EPA–HQ–OPP–2018–0147. *Applicant:* Amoéba SA, 38 Avenue des Frères Montgolfier, F–69680 Chassieu, France (in care of Acadia Regulatory Consulting LLC, 331 W. King Rd., Ithaca, NY 14850). *Product name:* Amoéba EP #3. *Active ingredient:* Antimicrobial—*Willaertia magna* C2c.Maky at 1.00%. *Proposed use:* For the control of microbial slime (bioslime), malodors, equipment staining and corrosion, and general microbial flora in industrial water systems. *Contact:* BPPD.

2. *File symbol:* 91283–L. *Docket ID number:* EPA–HQ–OPP–2018–0147. *Applicant:* Amoéba SA, 38 Avenue des Frères Montgolfier, F–69680 Chassieu, France (in care of Acadia Regulatory Consulting LLC, 331 W. King Rd., Ithaca, NY 14850). *Product name:* Amoéba EP #1. *Active ingredient:* Antimicrobial—*Willaertia magna* C2c.Maky at 1.00%. *Proposed use:* For the control of microbial slime (bioslime), malodors, equipment staining and corrosion, and general microbial flora in industrial water systems. *Contact:* BPPD.

3. *File symbol:* 91283–T. *Docket ID number:* EPA–HQ–OPP–2018–0147. *Applicant:* Amoéba SA, 38 Avenue des Frères Montgolfier, F–69680 Chassieu, France (in care of Acadia Regulatory Consulting LLC, 331 W King Rd., Ithaca, NY 14850). *Product name:* Amoéba EP #2. *Active ingredient:* Antimicrobial—*Willaertia magna* C2c.Maky at 1.00%. *Proposed use:* For the control of microbial slime (bioslime), malodors, equipment staining and corrosion, and general microbial flora in industrial water systems. *Contact:* BPPD.

4. *File symbol:* 91283–U. *Docket ID number:* EPA–HQ–OPP–2018–0147. *Applicant:* Amoéba SA, 38 Avenue des Frères Montgolfier, F–69680 Chassieu, France (in care of Acadia Regulatory Consulting LLC, 331 W. King Rd., Ithaca, NY 14850). *Product name:* Amoéba TGAI. *Active ingredient:* Antimicrobial—*Willaertia magna* C2c.Maky at 1.00%. *Proposed use:* Manufacturing use only. *Contact:* BPPD.

Authority: 7 U.S.C. 136 *et. seq.*

Dated: May 29, 2018.

Delores Barber,

Director, Information Technology and Resources Management Division, Office of Pesticide Programs.

[FR Doc. 2018–12813 Filed 6–13–18; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0113 and 3060–0922]

Information Collections Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act 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 August 13, 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: 3060–0113.

Title: Broadcast EEO Program Report, FCC Form 396.

Form Number: FCC Form 396.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; not for profit institutions.

Number of Respondents and Responses: 2,001 respondents; 2,001 responses.

Estimated Time per Response: 1.5 hours.

Frequency of Response: On renewal reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority which covers this information collection is contained in Section 154(i) and 303 of the Communications Act of 1934, as amended.

Total Annual Burden: 3,002 hours.

Total Annual Cost: $300,300.

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

Privacy Impact Assessment: No impact(s).

Needs and Uses: The Broadcast Equal Employment Opportunity (EEO) Program Report, FCC Form 396, is a device that is used to evaluate a broadcaster's EEO program to ensure that satisfactory efforts are being made to comply with FCC's EEO requirements. FCC Form 396 is required to be filed at the time of renewal of license by all AM, FM, TV, Low Power TV and International stations. Licensees in the Satellite Digital Audio Radio Service (''SDARS'') also must file FCC Form 396.

The recordkeeping requirements for FCC Form 396 are covered under OMB control number 3060–0214.

In 1997, the Commission determined that SDARS licensees must comply with the Commission's EEO requirements. See Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310–2360 MHz Frequency Band, 12 FCC Rcd 5754, 5791,) 91 (1997) (''1997 SDARS Order''), FCC 97–70. In 2008, the Commission clarified that SDARS licensees must comply with the Commission's EEO broadcast rules and policies, including the same recruitment, outreach, public file, website posting, record-keeping, reporting, and self-assessment obligations required of broadcast licensees, consistent with 47 CFR 73.2080, as well as any other Commission EEO policies. See Applications for Consent to the Transfer of Control of Licenses, SM Satellite Radio Holdings Inc., Transferor, to Sirius Satellite Radio Inc., Transferee, 23 FCC Rcd 12348, 12426,) 174, and note 551 (2008) (''XM-Sirius Merger Order'').

OMB Control Number: 3060–0922.

Title: Broadcast Mid-Term Report, FCC Form 397.

Form Number: FCC Form 397.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; not-profit institutions.

Number of Respondents and Responses: 1,181 respondents; 1,181 responses.

Estimated Time per Response: 0.5 hours.

Frequency of Response: Mid-point reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority which covers this information collection is contained in Sections 154(i) and 303 of the Communications Act, as amended.

Total Annual Burden: 591 hours.

Total Annual Cost: No cost.

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

Privacy Impact Assessment: No impact(s).

Needs and Uses: The Broadcast Mid-Term Report (FCC Form 397) is required to be filed by each broadcast television station that is part of an employment unit with five or more full-time employees and each broadcast radio station that is part of an employment unit with more than ten full-time employees. It is a data collection device used to assess broadcast compliance with EEO outreach requirements in the middle of license terms that are eight years in duration. FCC Form 397 must also be filed by Satellite Digital Audio Radio Services (SDARS) licensees to assess compliance with EEO outreach requirements.

Satellite Radio (also referred to as ''Satellite Digital Audio Radio Services'' or ''SDARS'') licensees are required to comply with the Commission's EEO broadcast rules and policies. They must engage in the same recruitment, outreach, public file, website posting, record-keeping, reporting, and self-assessment obligations required of broadcast licensees, consistent with 47 CFR 73.2080, and are subject to the same EEO policies. See Applications for Consent to the Transfer of Control of Licenses, XM Satellite Radio Holdings Inc., Transferor, to Sirius Satellite Radio Inc., Transferee, 23 FCC Rcd 12348, 12426,) 174, and note 551 (2008) (''XM-Sirius Merger Order''). See also Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310–2360 MHz Frequency Band, 12 FCC Rcd 5754, 5791–92,)) 91–92 (1997) (''SDARS Order''), FCC 97–70.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2018–12788 Filed 6–13–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0874]

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 August 13, 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: 3060–0874.

Title: Consumer Complaint Portal: General Complaints, Obscenity or Indecency Complaints, Complaints under the Telephone Consumer Protection Act, Slamming Complaints, RDAs and Communications Accessibility Complaints.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Individuals or households; Business or other for-profit entities; Not for profit institutions; State, Local or Tribal Government.

Number of Respondents and Responses: 336,004 respondents; 336,004 responses.

Estimated Time per Response: 15 minutes (.25 hours) to 30 minutes (.50 hours).

Frequency of Response: On occasion reporting requirement.

Obligation To Respond: Voluntary. The statutory authority for this collection is contained in 47 U.S.C. 208 of the Communications Act of 1934, as amended (the Act).

Total Annual Burden: 84,012 hours.

Total Annual Cost: None.

Nature and Extent of Confidentiality: Confidentiality is an issue to the extent that individuals and households provide personally identifiable information, which is covered under the FCC's updated system of records notice (SORN), FCC/CGB–1, ''Informal Complaints, Inquiries and Requests for Dispute Assistance.'' As required by the Privacy Act, 5 U.S.C. 552a, the Commission also published a SORN, FCC/CGB–1 ''Informal Complaints, Inquiries, and Requests for Dispute Assistance,'' in the **Federal Register** on August 15, 2014 (79 FR 48152) which became effective on September 24, 2014. It may be reviewed at *https://www.fcc.gov/general/privacy-act-information#systems.*

Privacy Impact Assessment: The FCC completed a Privacy Impact Assessment (PIA) on June 28, 2007. It may be reviewed at *http://www.fcc.gov/omd/privacyact/Privacy-Impact-Assessment.html.*

Needs and Uses: The Commission consolidated all of the FCC informal consumer complaint intake into an online consumer complaint portal, which allows the Commission to better manage the collection of informal consumer complaints. Informal consumer complaints consist of informal consumer complaints, inquiries and comments. This revised information collection requests OMB approval for the addition of a layer of consumer reported complaint information related to the FCC's disability accessibility requirements for apparatus designed to receive, play back, or record video programming to be equipped with built-in closed caption decoder circuitry or capability designed to display closed-captioned video programming. The information collection burdens associated with these complaints is being transferred from OMB Control Number 3060–1162 (Closed Captioning of Video Programming Delivered Using internet Protocol, and Apparatus Closed Caption Requirements) to OMB Control Number 3060–0874 to enable consumers to file complaints related to the Commission's apparatus closed caption requirements through the Commission's online complaint portal.

Federal Communications Commission.

Katura Jackson,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2018–12785 Filed 6–13–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0854]

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 July 16, 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: 3060–0854.

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 *15566 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. 2018–12787 Filed 6–13–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 11, 2018.

A. Federal Reserve Bank of San Francisco (Gerald C. Tsai, Director, Applications and Enforcement) 101 Market Street, San Francisco, California 94105–1579:

1. *Eastern International Bancorp, Inc.;* to become a bank holding company by acquiring 100 percent of Eastern International Bank, both of Los Angeles, California.

Board of Governors of the Federal Reserve System, June 11, 2018.

Ann Misback,

Secretary of the Board.

[FR Doc. 2018–12766 Filed 6–13–18; 8:45 am]

BILLING CODE P

FEDERAL TRADE COMMISSION

[File No. 181 0005]

Northrop Grumman Corporation and Orbital ATK, Inc.; Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: The consent agreement in this matter settles alleged violations of federal law prohibiting unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

DATES: Comments must be received on or before July 5, 2018.

ADDRESSES: Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write: ''In the Matter of Northrop Grumman Corporation and Orbital ATK, Inc., File No. 181 0005'' on your comment, and file your comment online at *https://ftcpublic.commentworks.com/ftc/northropgrumman* by following the instructions on the web-based form. If you prefer to file your comment on paper, write ''In the Matter of Northrop Grumman Corporation and Orbital ATK, Inc., File No. 181 0005'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex D), Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: James Southworth (202–326–2822), Bureau of Competition, 600 Pennsylvania Avenue NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 15 U.S.C. 46(f), and FTC Rule 2.34, 16 CFR 2.34, notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of thirty (30) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. An electronic copy of the full text of the consent agreement package can be obtained from the FTC Home Page (for June 5, 2018), on the World Wide Web, at *https://www.ftc.gov/news-events/commission-actions.*

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before July 5, 2018. Write ''In the Matter of Northrop Grumman Corporation and Orbital ATK, Inc., File No. 181 0005'' on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission website, at *https://www.ftc.gov/policy/public-comments.*

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at *https://ftcpublic.commentworks.com/ftc/northropgrumman* by following the instructions on the web-based form. If this Notice appears at *http://www.regulations.gov/#!home,* you also may file a comment through that website.

If you prefer to file your comment on paper, write ''In the Matter of Northrop Grumman Corporation and Orbital ATK, Inc., File No. 181 0005'' on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC–5610 (Annex D), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex D), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Because your comment will be placed on the publicly accessible FTC website at *https://www.ftc.gov,* you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which . . . is privileged or confidential''—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled ''Confidential,'' and must comply with FTC Rule 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted on the public FTC website—as legally required by FTC Rule 4.9(b)—we cannot redact or remove your comment from the FTC website, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the FTC website at *http://www.ftc.gov* to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding, as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before July 5, 2018. For information on the Commission's privacy policy, including routine uses permitted by the Privacy Act, see *https://www.ftc.gov/site-information/privacy-policy.*

Analysis of Agreement Containing Consent Order To Aid Public Comment

I. Introduction

The Federal Trade Commission (''Commission'') has accepted an Agreement Containing Consent Order (''Consent Agreement'') designed to remedy the anticompetitive effects resulting from Northrop Grumman Corporation's (''Northrop'') proposed acquisition of Orbital ATK, Inc. (''Orbital ATK''). Under the terms of the Consent Agreement, Northrop would be

required to (1) continue to act as a non-discriminatory merchant supplier of Orbital ATK's solid rocket motors (''SRMs'') rather than favor its now-vertically integrated missile system business, and (2) protect SRM and missile system competitors' competitively sensitive information from improper use or disclosure.

The Consent Agreement has been placed on the public record for thirty days for receipt of comments by interested persons. Given that the acquisition could impact a current ongoing missile system competition, the Commission issued the accompanying Decision and Order (''Order'') as final prior to seeking public comment, as provided in Section 2.34(c) of the Commission's Rules. This will allow the Commission to enforce the Order if there are any violations of its provisions during the public comment period. Comments received during this period will become part of the public record. After thirty days, the Commission will again review the proposed Consent Agreement and the comments received, and will decide whether it should withdraw from the Consent Agreement or modify the accompanying Order.

Pursuant to an Agreement and Plan of Merger dated September 17, 2017, Northrop agreed to acquire 100 percent of the issued and outstanding voting securities of Orbital ATK for approximately $7.8 billion (the ''Acquisition''). The Commission's Complaint alleges that the Acquisition is in violation of Section 5 of the FTC Act, as amended, 15 U.S.C. 45, and that the acquisition, if consummated, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. 18, and Section 5 of the FTC Act, as amended, 15 U.S.C. 45, by lessening the competition in the United States market for missile systems. The Acquisition would provide Northrop with the ability and incentive to withhold its SRMs from competing missile system prime contractors, or only offer its SRMs at disadvantageous terms, thereby raising rivals' costs or otherwise undermining their ability to compete on future missile system bids. The Consent Agreement will remedy the alleged violations by prohibiting Northrop from discriminating against competing missile prime customers in supplying SRMs.

II. The Parties

Northrop is a Delaware corporation with its principal place of business in Falls Church, Virginia. Northrop is a global aerospace and defense company that acts as a prime contractor or preferred supplier on many high-priority programs for the United States Department of Defense (''DOD'') and other United States Government agencies. Northrop is one of only a few companies capable of acting as a prime contractor for tactical, missile defense, and strategic missile systems for DOD [the United States Government]. From 1997 to 2013, Northrop was the prime contractor responsible for maintaining, sustaining, and modernizing the Minuteman III strategic missile system. Northrop is currently competing to develop the nation's next intercontinental ballistic missile system, the Ground Based Strategic Deterrent. Northrop has also successfully competed for United States Government research and development contracts for tactical missiles and missile defense interceptors.

Orbital ATK is a Delaware corporation with its principal place of business in Dulles, Virginia. The company is a prime contractor and merchant supplier of space, defense, and aviation-related systems to customers around the world. Orbital ATK is the nation's leading producer of SRMs for both defense and commercial applications. For defense programs, Orbital ATK produces strategic-grade SRMs for the Trident II D–5 and Minuteman III and the Missile Defense Agency's Ground-based Midcourse Defense interceptor. In addition, Orbital ATK is a leading producer of SRMs for air-, sea- and land-based tactical missiles and missile defense interceptors. Orbital ATK supplies these SRMs to prime contractors for use in their missile systems.

III. The Products and Structure of the Markets

Northrop is one of only four companies capable of supplying missile systems to the United States Government. Missile systems provide essential national defense capabilities for the United States Government. The United States Armed Forces employ multiple types of missile systems, including short-range tactical missiles, longer-range strategic missiles, and missile defense interceptors designed to defeat ballistic missile threats. Each type of missile system purchased by DOD has unique capabilities and is designed specifically to perform its given mission(s).

Orbital ATK is one of only two viable suppliers of SRMs for U.S. Government missile systems and the dominant supplier of large SRMs used for long-range strategic missiles. SRMs are used to propel tactical, missile defense, and strategic missiles to their intended targets. SRMs are used for virtually all missile systems purchased by the United States Government because they offer numerous advantages over all other existing propulsion technologies.

The relevant geographic market in which to analyze the effects of the proposed transaction is the United States. The missile systems that are the subject of the Complaint are solely purchased by the United States Government, which also typically funds their development. National security considerations and other factors limit DOD's ability to procure its missile systems from foreign suppliers. Federal law, national security, and other considerations similarly drive missile system prime contractors to procure SRMs from domestic suppliers.

IV. Entry

Entry into the relevant markets would not be timely, likely, or sufficient in magnitude, character, and scope to deter or counteract the anticompetitive effects of the Acquisition. There are significant barriers to entry into the development, manufacture, and sale of both SRMs and missile systems in the United States. The relevant products are high technology, defense-specific products that require specialized expertise and facilities to develop, test, and manufacture. It would be extremely difficult and costly for a new entrant to establish the technological expertise and specialized facilities necessary to compete successfully in either of these markets.

V. Effects of the Acquisition

Following the Acquisition, Northrop, will be one of only two viable suppliers of SRMs for U.S. Government missile systems. The choice of SRM can have a significant impact on the final determination of a missile system prime competition because the propulsion system is a critical element of the overall missile design. SRMs comprise a large portion of the cost of the integrated missile and their performance affects the range, accuracy, and payload capacity of the missile. Absent the protections of the Consent Agreement, Northrop would have the ability to disadvantage competitors for future missile prime contracts by denying or limiting their access to Northrop's SRM products and technologies, which would lessen the ability of Northrop's missile system competitors to compete successfully for a given missile system prime contract. The Acquisition would also give Northrop access, through the former Orbital ATK SRM business, to the proprietary information that rival missile prime contractors must share with its SRM vendor. Similarly, the Acquisition creates a risk that the

proprietary, competitively sensitive information of a rival SRM supplier supporting Northrop's missile system business could be transferred to Northrop's vertically integrated SRM business.

VI. The Consent Agreement

The Consent Agreement remedies the acquisition's likely anticompetitive effects by requiring, whenever Northrop competes for a missile system prime contract, that Northrop must make its SRM products and related services available on a non-discriminatory basis to all other third-party competing prime contractors that wish to purchase them. The non-discrimination prohibitions of the Consent Agreement are comprehensive and apply to any potential discriminatory conduct affecting price, schedule, quality, data, personnel, investment, technology, innovation, design, or risk.

The Consent Agreement requires Northrop to establish firewalls to ensure that Northrop does not transfer or use any proprietary information that it receives from competing missile prime contractors or SRM suppliers in a manner that harms competition. These firewall provisions require that Northrop maintain separate firewalled teams to support offers of SRMs to different third-party missile prime contractors and to maintain these firewalled teams separate from the team supporting Northrop's missile prime contractor activities. The firewall provisions also prohibit Northrop's missile business from sharing proprietary information it may receive from third-party SRM suppliers with Northrop's SRM business.

The Consent Agreement also provides that the DOD's Under Secretary of Defense for Acquisition and Sustainment shall appoint a compliance officer to oversee Northrop's compliance with the Order. The compliance officer will have all the necessary investigative powers to perform his or her duties, including the right to interview respondent's personnel, inspect respondent's facilities, and require respondents to provide documents, data, and other information. The compliance officer has the authority to retain third-party advisors, at the expense of Northrop, as appropriate to perform his or her duties. Access to these extensive resources will ensure that the compliance officer is fully capable of overseeing the implementation of, and compliance with, the Order.

The purpose of this analysis is to facilitate public comment on the proposed Consent Agreement, and it is not intended to constitute an official interpretation of the proposed Consent Agreement or to modify its terms in any way.

By direction of the Commission.

Janice Frankle,

Acting Secretary.

[FR Doc. 2018–12750 Filed 6–13–18; 8:45 am]

BILLING CODE 6750–01–P

GOVERNMENT ACCOUNTABILITY OFFICE

Request for Nominations for the Physician-Focused Payment Model Technical Advisory Committee (PTAC)

AGENCY: Government Accountability Office (GAO).

ACTION: Request for letters of nomination and resumes.

SUMMARY: The Medicare Access and CHIP Reauthorization Act of 2015 established the Physician-Focused Payment Model Technical Advisory Committee to provide comments and recommendations to the Secretary of Health and Human Services on physician payment models, and gave the Comptroller General responsibility for appointing its members. GAO is now accepting nominations of individuals for this committee.

DATES: Letters of nomination and resumes should be submitted no later than July 20, 2018, to ensure adequate opportunity for review and consideration of nominees prior to appointment. Appointments will be made in October 2018.

ADDRESSES: Submit letters of nomination and resumes by either of the following methods: Email: *PTACcommittee@gao.gov.* Include PTAC Nominations in the subject line of the message, or Mail: U.S. GAO, Attn: PTAC Nominations, 441 G Street NW, Washington, DC 20548.

FOR FURTHER INFORMATION CONTACT: Greg Giusto at (202) 512–8268 or *giustog@gao.gov* if you do not receive an acknowledgement within a week of submission or if you need additional information. For general information, contact GAO's Office of Public Affairs, (202) 512–4800.

Authority: Pub. L. 114–10, Sec. 101(e), 129 Stat. 87, 115 (2015).

Gene L. Dodaro,

Comptroller General of the United States.

[FR Doc. 2018–12736 Filed 6–13–18; 8:45 am]

BILLING CODE 1610–02–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Agency for Healthcare Research and Quality, HHS.

ACTION: Notice.

SUMMARY: This notice announces the intention of the Agency for Healthcare Research and Quality (AHRQ) to request that the Office of Management and Budget (OMB) approve the proposed information collection project ''*Ambulatory Surgery Center Survey on Patient Safety Culture Database.*''

This proposed information collection was previously published in the **Federal Register** on March 14th, 2018 and allowed 60 days for public comment. AHRQ received no substantive comments from members of the public. The purpose of this notice is to allow an additional 30 days for public comment.

DATES: Comments on this notice must be received by July 16, 2018.

ADDRESSES: Written comments should be submitted to: AHRQ's OMB Desk Officer by fax at (202) 395–6974 (attention: AHRQ's desk officer) or by email at *OIRA_submission@omb.eop.gov* (attention: AHRQ's desk officer).

FOR FURTHER INFORMATION CONTACT: Doris Lefkowitz, AHRQ Reports Clearance Officer, (301) 427–1477, or by email at *doris.lefkowitz@AHRQ.hhs.gov.*

SUPPLEMENTARY INFORMATION:

Proposed Project

Ambulatory Surgery Center Survey on Patient Safety Culture Database

In accordance with the Paperwork Reduction Act, 44 U.S.C. 3501–3521, AHRQ invites the public to comment on this proposed information collection. Ambulatory surgery centers (ASCs) are a fast-growing health care setting, demonstrating tremendous growth both in the volume and complexity of procedures being performed. ASCs provide surgical services to patients who are not expected to need an inpatient stay following surgery. The Centers for Medicare and Medicaid Services (CMS) defines ASCs as distinct entities that operate exclusively to provide surgical services to patients who do not require hospitalization and are not expected to need to stay in a surgical facility longer than 24 hours.

How AHRQ's Mission and Directives Relate to ASCs. As described in its 1999 reauthorizing legislation, Congress directed the Agency for Healthcare Research and Quality (AHRQ) to enhance the quality, appropriateness, and effectiveness of health services, as well as access to such services, by establishing a broad base of scientific research and promoting clinical and health systems practice improvements. The legislation also directed AHRQ to ''conduct and support research, evaluations, and training, support demonstration projects, research networks, and multidisciplinary centers, provide technical assistance, and disseminate information on health care and on systems for the delivery of such care, including activities with respect to health statistics, surveys, database development, and epidemiology.'' 42 U.S.C. 299a(a)(8).

Shortly after Congress enacted this legislation, the Institute of Medicine (IOM) published ''To Err is Human,'' a seminal report on medical errors that connects the dots between errors and workplace culture. In it, the IOM called for health care organizations to develop a ''culture of safety'' such that staffing and system processes are aligned to improve the reliability and safety of patient care. This appeal for safety culture improvements directly relates to AHRQ's legislative directive and mission (*i.e.,* ''to produce evidence to make health care safer, higher quality, more accessible, equitable, and affordable, and to work within the U.S. Department of Health and Human Services and with other partners to make sure that the evidence is understood and used''). Given its legislatively-mandated role, AHRQ is uniquely positioned to support data collection and analyses that will help fuel ASC patient safety culture improvements. The expanding volume and scope of ASC services, the growing attention of federal regulators on patient safety within ASCs, and the resultant implications for public health has prompted AHRQ to present this application to the Office of Management and Budget (OMB). In this request, AHRQ seeks OMB approval to expand its Surveys on Patient Safety Culture™ (SOPS™) program by creating an ASC SOPS Database to capture and report on ASC SOPS data voluntarily-submitted by ASCs that have administered the ASC SOPS. The ASC SOPS Database is the newest database for the SOPS program and would be modeled after AHRQ's existing SOPS Databases for Hospitals, Medical Offices, Nursing Homes, and Community Pharmacies, which have all undergone OMB review and approval.

Background on ASC SOPS. This section provides context for this request to the OMB regarding the need for AHRQ's requested database. Factors include the continued ASC growth trajectory and increasing public attention on the quality of ASC care—particularly as it relates to patient safety culture.

Rapid ASC Growth. Medicare-certified ASCs have experienced impressive growth in the last 35 years—up from 239 facilities in 1983 to 5,316 in 2010. In recent years, Medicare ASCs have seen continued growth in both their number and scope, as illustrated by the annual average growth rate of 1.1 percent between 2010 to 2014. In 2015, CMS spent $4.1 billion for 3.4 million fee-for service Medicare beneficiaries to receive care across 5,500 Medicare-certified ASCs. Research suggests that transitioning eligible surgical procedures from inpatient to ASC settings may yield significant and sustained Medicare cost savings.

Federal Attention on ASC Care Quality and Safety Culture. Concern about the quality of ASC care is not new. Following a 2008 Hepatitis C outbreak in Nevada blamed on poor ASC infection control practices, HHS's Office of the Secretary oversaw a $10 million program for state survey agencies to improve healthcare-associated infection reduction in ASCs. The Centers for Disease Control's (CDC) National Healthcare Safety Network (NHSN) subsequently expanded its surgical site infection (SSI) surveillance efforts to enable ASC data submission to accommodate state SSI reporting mandates. Through the Affordable Care Act of 2010, Congress also pursued ASC performance improvement by directing the HHS Secretary to implement an ASC-focused Medicare value-based purchasing (VBP) program.

The relationship between patient safety culture and the quality of ASC care has attracted more recent attention from policymakers and regulators. On the national level, the Joint Commission in early 2017 established within its ASC accreditation manual a new chapter on patient safety systems improvement, which includes strategies for ''motivating staff to uphold a fair and just safety culture.'' CMS, meanwhile, published in November 2017 its Final Rule outlining the ASC Quality Reporting (ASCQR) Program, which ties quality and patient safety performance to reimbursement.

ASC SOPS Pilot. AHRQ developed and pilot tested the Ambulatory Surgery Center Survey on Patient Safety Culture (ASC SOPS) with OMB approval (OMB No. 0935–0216; approved 10/31/2013). The survey is designed to enable any ASC (regardless of type of procedures it performs) to assess their staff's perceptions about patient safety and quality assurance issues, including what safety-related attitudes and behaviors are supported, rewarded, and expected. It includes 27 items that measure 8 composites of patient safety culture, as well as five individual items on near-miss documentation, overall rating on patient safety and communication in the procedure/surgery room. The pilot test was conducted in early 2014 in ASC facilities: (1) Where patients have surgeries, procedures, and treatments and are not expected to need an inpatient stay, and (2) that have been certified and approved to participate in the CMS ASC program. Twenty-five percent of the pilot sites were affiliated with a hospital and 75% were not hospital-affiliated. Participants included 1,800 staff members from 59 ASCs—or approximately one percent of the total number of ASCs at that time.

AHRQ made the survey publicly available along with a Survey User's Guide, the pilot study results, and related toolkit materials on the *AHRQ Ambulatory Surgery Center Survey on Patient Safety Culture Web page* in April 2015.

The AHRQ ASC SOPS Database will consist of data from the AHRQ ASC patient safety culture survey. ASCs in the U.S. will be asked to voluntarily submit data from the survey to AHRQ. The ASC SOPS Database will be modeled after four other SOPS databases developed by AHRQ: Hospital SOPS [OMB NO. 0935–0162; last approved 10/18/2016]; Medical Office SOPS [OMB NO. 0935–0196; last approved 08/25/15]; Nursing Home SOPS [OMB NO. 0935–0195; last approved 09/30/15]; and Community Pharmacy SOPS [OMB NO. 0935–0218; last approved 06/26/17].

Rationale for the information collection. AHRQ sponsored the development of the ASC SOPS as a new survey in the suite of AHRQ Surveys on Patient Safety Culture. The database will support AHRQ's goals of promoting improvements in the quality and safety of health care in ASC settings. Like the survey and other toolkit materials, the database results will be made publicly available on AHRQ's website. Technical assistance is provided by AHRQ through its contractor at no charge to ASCs to facilitate the use of these materials for ASC patient safety and quality improvement. Technical assistance will also be provided to support ASC data submission.

The goal of this project is to create the ASC SOPS Database. This database will:

(1) Present results from ASCs that voluntarily submit their data;

(2) Present trend data for ASCs that have submitted their data more than once;

(3) Provide data to ASCs to facilitate internal assessment and learning in the patient safety improvement process; and

(4) Provide supplemental information to help ASCs identify their strengths and areas with potential for improvement in patient safety culture.

This study is being conducted by AHRQ through its contractor, Westat, pursuant to AHRQ's statutory authority to conduct and support research on health care and on systems for the delivery of such care, including activities with respect to the quality, effectiveness, efficiency, appropriateness and value of health care services and with respect to health statistics, surveys, and database development.. 42 U.S.C 299a(a)(1) and (8).

Method of Collection

To achieve the goal of this project the following activities and data collections will be implemented:

(1) *Eligibility and Registration Form*—The point-of-contact (POC), often the manager of the ASC, completes a number of data submission steps and forms, beginning with completion of an online Eligibility and Registration Form. The purpose of this form is to collect basic demographic information about the ASC and initiate the registration process.

(2) *ASC Site Information*—The purpose of the site level specifications, completed by the ASC manager, is to collect background characteristics of the ASC. This information will be used to analyze data collected with the ASC SOPS survey.

(3) *Data Use Agreement*—The purpose of the data use agreement, completed by the ASC manager, is to state how data submitted by ASCs will be used and provides privacy assurances.

(4) *Data Files Submission*—POCs upload their data file(s), using ASC survey data file specifications, to ensure that users submit standardized and consistent data in the way variables are named, coded, and formatted. The number of submissions to the database is likely to vary each year because ASCs do not administer the survey and submit data every year. Data submission is typically handled by one POC who is either an ASC administrative manager or a survey vendor who contracts with an ASC to collect and submit its data.

With the approval and addition of the ASC SOPS Database, data from the database will be used to produce three types of products:

(1) An ASC SOPS Database Report that will be made publicly available on the AHRQ website (see, for example, another project in the SOPS suite, the Hospital User Database Report);

(2) Individual ASC Survey Feedback Reports that are customized for each ASC that submits data to the database; and

(3) Research data sets of individual-level and ASC-level data to enable researchers to conduct analyses. All data released in a data set are de-identified at the individual level and the ASC level.

ASCs will be invited to voluntarily submit their ASC SOPS survey data into the database. AHRQ's contractor, Westat, will then clean and aggregate the data to produce a PDF-formatted Database Report displaying averages, standard deviations, and percentile scores on the survey's 33 items and 8 patient safety culture dimensions. In addition, the report will also display results by respondent characteristics (*e.g.,* staff position, tenure, and hours worked per week).

The Database Report will include a section on data limitations, emphasizing that the report does not reflect a representative sampling of the U.S. ASC population. Because participating ASCs will choose to voluntarily submit their data into the database and therefore are not a random or national sample of ASCs, estimates based on this self-selected group might be biased estimates. These limitations will be noted in the database report. We will recommend that users review the database results with these caveats in mind.

Each ASC that submits its data will receive a customized survey feedback report that presents their results alongside the aggregated results from other participating ASCs. If an ASC submits data more than once, its survey feedback report will also present trend data.

ASC users of the ASCs SOPS Survey, Database Reports, and Individual ASC Survey Feedback Reports can use these documents to:

- Raise staff awareness about patient safety;
- Diagnose and assess the current status of patient safety culture in their own ASC;
- Identify strengths and areas for patient safety culture improvement;
- Examine trends in patient safety culture change over time; and
- Evaluate the cultural impact of patient safety initiatives and intervention.

Estimated Annual Respondent Burden

Exhibit 1 shows the estimated annualized burden hours for the respondents' time to participate in the database. Given that this will be the first call for voluntary data submission, participation is initially expected to be modest. An estimated 100 ASC managers (*i.e.,* POCs from ASCs) will complete the database submission steps and forms. Each POC will submit the following:

- Eligibility and registration form (completion is estimated to take about 5 minutes).
- Data use agreement (completion is estimated to take about 3 minutes).
- ASC Site Information Form (completion is estimated to take about 5 minutes).
- Survey data submission will take an average of one hour.

The total burden is estimated to be 121 hours.

Exhibit 2 shows the estimated annualized cost burden based on the respondents' time to submit their data. The cost burden is estimated to be $5,472.83

EXHIBIT 1—ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents/ POCs	Number of responses per POC	Hours per response	Total burden hours
Eligibility and Registration Form	100	1	5/60	8
Data Use Agreement	100	1	3/60	5
ASC Site Information Form	100	1	5/60	8
Data Files Submission	100	1	1	100

EXHIBIT 1—ESTIMATED ANNUALIZED BURDEN HOURS—Continued

Form name	Number of respondents/ POCs	Number of responses per POC	Hours per response	Total burden hours
Total	NA	NA	NA	121

EXHIBIT 2—ESTIMATED ANNUALIZED COST BURDEN

Form name	Number of respondents/ POCs	Total burden hours	Average hourly wage rate *	Total cost burden
Eligibility and Registration Form	100	8	$45.23	$361.84
Data Use Agreement	100	5	45.23	226.15
ASC Site Information	100	8	45.23	361.84
Data Files Submission	100	100	45.23	4,523.00
Total	NA	121	45.23	5,472.83

* Based on the mean hourly wage for 100 ASC Administrative Services Managers (11–3011; $45.23) obtained from the May 2016 National Industry-Specific Occupational Employment and Wage Estimates: NAICS 621400—Outpatient Care Centers (located at *http://www.bls.gov/oes/current/naics4_621400.htm#11-0000*).

Request for Comments

In accordance with the Paperwork Reduction Act, comments on AHRQ's information collection are requested with regard to any of the following: (a) Whether the proposed collection of information is necessary for the proper performance of AHRQ's health care research and health care information dissemination functions, including whether the information will have practical utility; (b) the accuracy of AHRQ's estimate of burden (including hours and costs) of the proposed collection(s) of information; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information upon the respondents, including the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the Agency's subsequent request for OMB approval of the proposed information collection. All comments will become a matter of public record.

Francis D. Chesley, Jr.,

Acting Deputy Director.

[FR Doc. 2018–12767 Filed 6–13–18; 8:45 am]

BILLING CODE 4160–90–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Docket No. CDC–2018–0057]

Notice of Intent To Prepare an Environmental Impact Statement, Public Scoping Meeting, and Request for Comments; Acquisition of Site for Development of a Replacement Underground Safety Research Program Facility for the Centers for Disease Control and Prevention/ National Institute for Occupational Safety and Health (CDC/NIOSH) in Mace, West Virginia

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS)

ACTION: Notice of intent; announcement of public meeting; and request for comments.

SUMMARY: The Centers for Disease Control and Prevention (CDC) within the Department of Health and Human Services (HHS), in cooperation with the General Services Administration (GSA), announces its intent to prepare an Environmental Impact Statement (EIS) to analyze and assess the environmental impacts of the proposed acquisition of a site in Mace, West Virginia, and the development of this site into a replacement of the National Institute for Occupational Safety and Health (NIOSH) Underground Safety Research Program facility (Proposed Action). The current acquisition and development would replace the former Lake Lynn Experimental Mine in Fayette County, Pennsylvania and would support research programs focused on miner health and safety issues. The site being considered for acquisition and development includes 461.35 acres located off of U.S. Route 219 in Randolph and Pocahontas Counties near Mace, West Virginia.

This notice is pursuant to the requirements of the National Environmental Policy Act of 1969 (NEPA) as implemented by the Council on Environmental Quality (CEQ) Regulations (40 CFR parts 1500–1508). CDC, in cooperation with GSA, also intends to initiate consultation, as required by Section 106 of the National Historic Preservation Act (NHPA), to evaluate the potential effects, if any, of the Proposed Action on historic properties. Following the scoping meeting, a Draft EIS will be prepared and circulated for public comment. CDC is the lead federal agency for this Proposed Action.

DATES:

Public Scoping Meeting: A public scoping meeting in open house format will be held on June 26, 2018 in Slatyfork, West Virginia. The meeting will begin at 5:30 p.m. and end no later than 8:30 p.m.

Written comments: Written scoping comments must be submitted by 11:59 p.m. on July 14, 2018.

Deadline for Requests for Special Accommodations: Persons wishing to participate in the public scoping meeting who need special accommodations should contact Sam Tarr at 770–488–8170 by 5:00 p.m. Eastern Time, June 19, 2018.

ADDRESSES: The public scoping meeting will be held at the Linwood Community Library, 72 Snowshoe Drive, Slatyfork, West Virginia 26291.

You may submit comments identified by Docket No. CDC–2018–0057 by either of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov* (Follow the instructions for submitting comments).
- *U.S. Mail:* Sam Tarr, Office of Safety, Security, and Asset Management (OSSAM), Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS–K80, Atlanta, Georgia 30329–4027.

Instructions: All submissions must include the agency name and Docket Number. All relevant comments received will be posted to *http://www.regulations.gov* (personally identifiable information, except for first and last names, will be redacted). For access to the docket to review background documents or comments received, go to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Sam Tarr, Office of Safety, Security, and Asset Management (OSSAM), Centers for Disease Control and Prevention, 1600 Clifton Road NE, MS–K80, Atlanta, Georgia 30329–4027, phone: (770) 488–8170, or email: *cdc-macewv-eis@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Background: CDC is dedicated to protecting health and promoting quality of life through the prevention and control of disease, injury, and disability. NIOSH, one of CDC's Centers, Institutes, and Offices, was established by the Occupational Safety and Health Act of 1970. NIOSH plans, directs, and coordinates a national program to develop and establish recommended occupational safety and health standards, conduct research and training, provide technical assistance, and perform related activities to ensure safe and healthful working conditions for every working person in the United States.

In 1997, NIOSH assumed the lease for a facility referred to as the Lake Lynn Experimental Mine (LLEM) when the mine safety and health function was transferred from the Bureau of Mines (BOM) to NIOSH. The LLEM facility had been leased by BOM since 1982. The LLEM was located 60 miles south of Pittsburgh, Pennsylvania. The LLEM and above ground fire testing facility was primarily used for studies and research on mine explosions, mine seals, mine rescue, ventilation, diesel exhaust, new health and safety technologies, ground control, and fire suppression. After December 2012, the property was no longer available for long-term leasing. CDC attempted to purchase the LLEM underlying property, but LLEM was vacated by the Government after market-based purchase offers were rejected by the property owners.

In 2013, CDC completed a Project Development Study to outline a design solution for the replacement of the LLEM. The study presented the facility and site requirements and design concepts for the replacement facilities. In 2016, to identify potentially available locations that could accommodate the space requirements defined in the 2013 study, GSA issued (on behalf of CDC) two separate Request for Expressions of Interest (REOI) for a site, developed or undeveloped, that could be used for the new underground safety research facility. The first REOI, advertised in June 2016, contained a limited delineated area within a 200-mile radius of the LLEM. The REOI set forth criteria that would be used to evaluate the suitability of the submitted sites. One expression of interest that had the potential to meet the minimum criteria was received. After further evaluation, however, the site was found to be non-viable.

The second REOI was issued in October 2016 and expanded the delineated area to the contiguous United States. Three expressions of interest were received. One did not meet the minimum criteria, and a second expression of interest did not contain all necessary information to evaluate the offer. The offeror of the second site did not respond to subsequent GSA inquiries.

The third potential site met the minimum criteria and was determined to be a viable site. The site is located near Mace, West Virginia, and straddles the Randolph and Pocahontas County lines.

In accordance with NEPA, as implemented by the CEQ regulations (40 CFR parts 1500–1508), CDC is initiating the preparation of an EIS for the proposed acquisition of the site and construction of a new underground safety research facility on the Site. Under NEPA, Federal agencies are required to evaluate the environmental effects of their proposed actions and a range of reasonable alternatives to the proposed action before making a decision. At a minimum, the EIS will evaluate the following two alternatives: The Proposed Action Alternative (acquisition of the Site and construction of a new underground safety research facility) and the No Action Alternative.

Scoping Process: In accordance with NEPA, a public scoping process will be conducted to establish the range of issues to be addressed during the preparation of the EIS. Scoping is an early and open process for determining the scope of issues to be addressed and identifying issues that should be taken into account in selecting an alternative for implementation. To that end, during the scoping process, CDC will actively seek input from interested people; organizations; federally recognized Native American tribes; and federal, state, and regional agencies.

The purpose of this Notice is to inform interested parties regarding CDC's plan to prepare an EIS for the proposed Site acquisition in Mace, West Virginia, and the development of the Site into an underground safety research facility; to provide information on the nature of the Proposed Action; and to initiate the scoping process. The public scoping meeting will be held on June 26, 2018, at the Linwood Community Library, 72 Snowshoe Drive, Slatyfork, West Virginia 26291, from 5:30 p.m. to 8:30 p.m. Eastern Time. The public scoping meeting will be in open house format. General information on the Site and the Proposed Action will be provided, and representatives of CDC and GSA will be available to answer one-on-one questions. There will be no formal presentation or question-and-answer session. Participants may arrive at any time between 5:30 p.m. and 8:30 p.m. Eastern Time. Comment forms will be provided for written comments, and a stenographer will be available to transcribe oral comments. Through the NEPA scoping process, CDC will also facilitate consultation with the public as required by Section 106 of the NHPA.

Dated: June 7, 2018.

Sandra Cashman,

Executive Secretary Centers for Disease Control and Prevention.

[FR Doc. 2018–12660 Filed 6–13–18; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–D–1918]

Human Immunodeficiency Virus-1 Infection: Developing Systemic Drug Products for Pre-Exposure Prophylaxis; Draft Guidance for Industry; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is announcing the availability of a draft guidance for industry entitled ''Human Immunodeficiency Virus-1 Infection: Developing Systemic Drug Products for

Pre-Exposure Prophylaxis.'' This draft guidance provides nonclinical and clinical recommendations specific to the development of systemic drug products, with a focus on long-acting systemic drug products, regulated within the Center for Drug Evaluation and Research (CDER) at FDA for the prevention of sexually acquired human immunodeficiency virus-1 (HIV–1) infection.

DATES: Submit either electronic or written comments on the draft guidance by August 13, 2018 to ensure that the Agency considers your comment on this draft guidance before it begins work on the final version of the guidance.

ADDRESSES: You may submit comments on any guidance at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

• *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

• If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

• *Mail/Hand delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

• For written/paper comments submitted to the Dockets Management Staff, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2018–D–1918 for ''Human Immunodeficiency Virus-1 Infection: Developing Systemic Drug Products for Pre-Exposure Prophylaxis.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

• Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.gpo.gov/fdsys/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

Submit written requests for single copies of the draft 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. Send one self-addressed adhesive label to assist that office in processing your requests. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance document.

FOR FURTHER INFORMATION CONTACT: Kimberly Struble, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 6374, Silver Spring, MD 20993–0002, 301–794–1500.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Human Immunodeficiency Virus-1 Infection: Developing Systemic Drug Products for Pre-Exposure Prophylaxis.'' This draft guidance provides nonclinical and clinical recommendations specific to the development of systemic drug products, with a focus on long-acting systemic drug products, regulated within CDER at FDA for the prevention of sexually acquired HIV–1 infection.

This draft guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The draft guidance, when finalized, will represent the current thinking of FDA on developing systemic drug products for pre-exposure prophylaxis of HIV–1 infection. 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 draft guidance is not subject to Executive Order 12866.

II. The Paperwork Reduction Act of 1995

This draft guidance refers to previously approved collections of information that are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). The collections of information in 21 CFR parts 312 and 314 have been approved under OMB control numbers 0910–0014 and 0910–0001, respectively.

III. Electronic Access

Persons with access to the internet may obtain the draft guidance at either *https://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/default.htm* or *https://www.regulations.gov.*

Dated: June 8, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–12761 Filed 6–13–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–N–2156]

Ferring Pharmaceuticals, Inc.; Withdrawal of Approval of Two 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 two abbreviated new drug applications (ANDAs) from Ferring Pharmaceuticals, Inc. (Ferring). Ferring 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 July 16, 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: Ferring has informed FDA that the drug products listed in the table are no longer marketed and has requested that FDA withdraw approval of the applications under the process described in § 314.150(c) (21 CFR 314.150(c)). Ferring has also, by its request, waived its 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 073598	Menotropins (follicle-stimulating hormone (FSH)/luteinizing hormone (LH)) for Injection, 75 international units (IU)/75 IU per vial.	Ferring Pharmaceuticals, Inc., 100 Interpace Pkwy., Parsippany, NJ 07054.
ANDA 073599	Menotropins (FSH/LH) for Injection, 150 IU/150 IU per vial	Do.

Therefore, approval of the applications listed in the table, and all amendments and supplements thereto, is hereby withdrawn as of July 16, 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 July 16, 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: June 8, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–12762 Filed 6–13–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Submission to OMB for Review and Approval; Public Comment Request; Zika Virus Pilot Project, OMB No. 0906–xxxx—NEW

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, HRSA has submitted an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for review and approval. Comments submitted during the first public review of this ICR will be provided to OMB. OMB will accept further comments from the public during the review and approval period.

DATES: Comments on this ICR should be received no later than July 16, 2018.

ADDRESSES: Submit your comments, including the ICR Title, to the desk officer for HRSA, either by email to *OIRA_submission@omb.eop.gov* or by fax to 202–395–5806.

FOR FURTHER INFORMATION CONTACT: To request a copy of the clearance requests submitted to OMB for review, email Lisa Wright-Solomon, the HRSA Information Collection Clearance Officer at *paperwork@hrsa.gov* or call (301) 443–1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference, in compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995.

Information Collection Request Title: Zika Virus Pilot Project, OMB No. 0906–xxxx—NEW

Abstract: HRSA is requesting the Organ Procurement and Transplantation Network (OPTN) perform a federally sponsored data collection as part of a pilot project to monitor the testing of deceased potential donors possibly exposed to the Zika virus (ZIKV). The Zika Pilot Project will have a 12-month performance period enabling OPTN to develop a plan to collect data on ways for organ procurement organizations (OPOs) to deploy ZIKV donor screening tests of blood products. The testing is available under an investigational new drug application for use on a voluntary basis in the evaluation of deceased persons as potential solid organ donors. OPTN will conduct an analysis of the data collected under this project to determine the potential effect of making available screening tests for ZIKV, when appropriate, to improve transplant safety. OPTN will convene a group of stakeholders to provide guidance and monitor progress on the ZIKV pilot project.

Need and Proposed Use of the Information: ZIKV is prevalent in several areas of the United States. Currently, there is not a ZIKV screening procedure for OPOs to implement during the organ allocation process. HRSA requested OPTN to conduct a pilot project to monitor the testing of deceased donors potentially exposed to ZIKV. The goals of the pilot project are to:

- Collaborate with experts to define necessary data elements to understand the impact of ZIKV testing in deceased organ donors;
- Deploy a data collection tool to a limited number of OPOs that agree to participate in the pilot project; and
- Assess the ability of OPTN to respond to a public health situation by collecting data from impacted members of the transplant community to assess the national experience.

Likely Respondents: Organ Procurement Organizations.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose

of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Zika Data Collection Tool	20	58	1,160*	.508	589
Total	20		1,160*		589

*Total number of responses determined by applying the percentage of OPOs participating to the total number of deceased donors during 2016. In addition, donors screened for Zika will be based on OPO specific screening criteria. Since all donors will not be screened, this number represents 35% of the donors recovered at the 20 OPOs. Based on OPTN Data as of November 9, 2017.

Amy P. McNulty,

Acting Director, Division of the Executive Secretariat.

[FR Doc. 2018–12782 Filed 6–13–18; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; 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 Cancer Institute Council of Research Advocates.

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 open session will be videocast and can be accessed from the NIH Videocasting and Podcasting website (*http://videocast.nih.gov*).

Name of Committee: National Cancer Institute Council of Research Advocates.

Date: June 21, 2018.

Time: 9:30 a.m. to 4:00 p.m.

Agenda: Welcome and Chairman's Remarks, NCI Updates, Legislative Update, Budget Update, and Director's Update.

Place: National Institutes of Health, 31 Center Drive, Building 31, 11A01, Bethesda, MD 20892.

Contact Person: Amy Williams, NCI Office of Advocacy Relations, National Cancer Institute, NIH, 31 Center Drive, Building 31, Room 10A28, Bethesda, MD 20892, 240–781–3360, *williaam@mail.nih.gov*.

This notice is being published less than 15 days prior to the meeting due to scheduling difficulties.

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: NCRA: *http://deainfo.nci.nih.gov/advisory/ncra/ncra.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: June 8, 2018.

Michelle D. Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–12730 Filed 6–13–18; 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 (5 U.S.C. App.), 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; Member Conflict: Topics in Hepatology.

Date: July 10, 2018.

Time: 1:00 p.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Jonathan K Ivins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2190, MSC 7850, Bethesda, MD 20892, (301) 594–1245, *ivinsj@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Tumor Signaling and Biology.

Date: July 11, 2018.

Time: 11:30 a.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Ola Mae Zack Howard, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4192, MSC 7806, Bethesda, MD 20892, 301–451–4467, *howardz@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Fellowship: Infectious Diseases and Microbiology.

Date: July 12–13, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Westin Westminster, 10600 Westminster Blvd., Westminster, CO 80020.

Contact Person: Tamara Lyn McNealy, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of

Health, 6701 Rockledge Drive, Room 3188, Bethesda, MD 20747, 301–827–2372, *tamara.mcnealy@nih.gov*.

Name of Committee: AIDS and Related Research Integrated Review Group; Behavioral and Social Consequences of HIV/AIDS Study Section.

Date: July 12–13, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: St. Gregory Hotel, 2033 M Street NW, Washington, DC 20036.

Contact Person: Mark P Rubert, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5218, MSC 7852, Bethesda, MD 20892, 301–806–6596, *rubertm@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Hematology.

Date: July 12–13, 2018.

Time: 9:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Bukhtiar H Shah, DVM, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4120, MSC 7802, Bethesda, MD 20892, 301–806–7314, *shahb@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Topics in Toxicology.

Date: July 12, 2018.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jonathan K Ivins, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2190, MSC 7850, Bethesda, MD 20892, (301) 594–1245, *ivinsj@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR Panel: Alzheimer's Disease and Related Dementias.

Date: July 12, 2018.

Time: 10:00 a.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Laurent Taupenot, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4188, MSC 7850, Bethesda, MD 20892, 301–435–1203, *laurent.taupenot@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–18–333: Understanding the Early Development of the Immune System.

Date: July 12, 2018.

Time: 1:00 p.m. to 5:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Hui Chen, MD, Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6164, Bethesda, MD 20892, 301–435–1044, *chenhui@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Neurodegeneration and Neuronal Dysfunction.

Date: July 12, 2018.

Time: 2:00 p.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Mary Custer, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4148, MSC 7850, Bethesda, MD 20892, (301) 435–1164, *custerm@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Language and Communications.

Date: July 12, 2018.

Time: 12:00 p.m. to 2:30 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6705 Rockledge Drive, Bethesda, MD 20817 (Telephone Conference Call).

Contact Person: Unja Hayes, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, MD 20892, 301–827–6830, *unja.hayes@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: June 8, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–12727 Filed 6–13–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary and Integrative Health; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the ZAT1 AJT (08) 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 Complementary and Integrative Health Special Emphasis Panel; Discovery and Biological Signatures of Diet-Derived Microbial Metabolites.

Date: July 12–13, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: The Madison Concourse Hotel, 1 West Dayton Street, Madison, WI 53703.

Contact Person: Ashlee Tipton, Ph.D., Scientific Review Officer, Division of Extramural Activities, National Center for Complementary and Integrative Health, 6707 Democracy Boulevard, Room 401, Bethesda, MD 20892, 301–451–3849, *ashlee.tipton@nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.213, Research and Training in Complementary and Integrative Health, National Institutes of Health, HHS)

Dated: June 7, 2018.

Michelle D. Trout,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–12729 Filed 6–13–18; 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: Healthcare Delivery and Methodologies Integrated Review Group; Health Services Organization and Delivery Study Section.

Date: June 25–26, 2018.

Time: 8:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at the Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20015.

Contact Person: Jacinta Bronte-Tinkew, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3164, MSC 7770, Bethesda, MD 20892, (301) 806–0009, *brontetinkewjm@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Motor and Voice Disorder.

Date: June 28, 2018.

Time: 10:00 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: Unja Hayes, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, Bethesda, md 20892, 301–827–6830, *unja.hayes@nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel; PAR–18–596: Research on Current Topics in Alzheimer's Disease and Its Related Dementias.

Date: June 28, 2018.

Time: 1:00 p.m. to 2:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Hotel Palomar, 2121 P Street NW, Washington, DC 20037.

Contact Person: Andrea B. Kelly, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 3182, MSC 7770, Bethesda, MD 20892, (301) 455–1761, *kellya2@csr.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. 93.306, 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: June 8, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–12735 Filed 6–13–18; 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 Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), 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: Center for Scientific Review Special Emphasis Panel; PAR Panel: Neural Regulation of Cancer.

Date: June 7, 2018.

Time: 2:00 p.m. to 5:00 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: Rolf Jakobi, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6187, MSC 7806, Bethesda, MD 20892, 301–495–1718, *jakobir@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. 93.306, 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: June 8, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–12728 Filed 6–13–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4335–DR; Docket ID FEMA–2018–0001]

Virgin Islands; Amendment No. 7 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the territory of the U.S. Virgin Islands (FEMA–4335–DR), dated September 7, 2017, and related determinations.

DATES: This amendment was issued May 18, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated May 18, 2018, the President amended the cost-sharing arrangements regarding Federal funds provided under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), in a letter to Brock Long, Administrator, Federal Emergency Management Agency, Department of Homeland Security, under Executive Order 12148, as follows:

I have determined that the damage in the territory of the U.S. Virgin Islands resulting from Hurricane Irma during the period of September 5–7, 2017, is of sufficient severity and magnitude that special cost-sharing arrangements are warranted regarding Federal funds provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act'').

Therefore, I amend my declarations of September 7, 2017, September 9, 2017, September 26, 2017, and March 15, 2018, to authorize the following: 90 percent Federal funding for Other Needs Assistance under section 408 of the Stafford Act and all categories of Public Assistance, except for assistance previously approved at 100 percent; a 120-day extension of the 100 percent Federal cost share for debris removal and emergency protective measures, with the extension of emergency protective measures being limited to Sheltering and Temporary Essential Power (STEP); and a waiver of the non-Federal cost share for hazard mitigation measures authorized by section 404 of the Stafford Act, provided hazard mitigation grant funding is prioritized toward protecting Federal investments in the territory.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used

for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–12749 Filed 6–13–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1833]

Changes in Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice lists communities where the addition or modification of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or the regulatory floodway (hereinafter referred to as flood hazard determinations), as shown on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports, prepared by the Federal Emergency Management Agency (FEMA) for each community, is appropriate because of new scientific or technical data. The FIRM, and where applicable, portions of the FIS report, have been revised to reflect these flood hazard determinations through issuance of a Letter of Map Revision (LOMR), in accordance with Federal Regulations. The LOMR will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings. For rating purposes, the currently effective community number is shown in the table below and must be used for all new policies and renewals.

DATES: These flood hazard determinations will be finalized on the dates listed in the table below and revise the FIRM panels and FIS report in effect prior to this determination for the listed communities.

From the date of the second publication of notification of these changes in a newspaper of local circulation, any person has 90 days in which to request through the community that the Deputy Associate Administrator for Insurance and Mitigation reconsider the changes. The flood hazard determination information may be changed during the 90-day period.

ADDRESSES: The affected communities are listed in the table below. Revised flood hazard information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

Submit comments and/or appeals to the Chief Executive Officer of the community as listed in the table below.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The specific flood hazard determinations are not described for each community in this notice. However, the online location and local community map repository address where the flood hazard determination information is available for inspection is provided.

Any request for reconsideration of flood hazard determinations must be submitted to the Chief Executive Officer of the community as listed in the table below.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The flood hazard determinations are in accordance with 44 CFR 65.4.

The affected communities are listed in the following table. Flood hazard determination information for each community is available for inspection at both the online location and the respective community map repository address listed in the table below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at *https://msc.fema.gov* for comparison.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation, Department of Homeland Security, Federal Emergency Management Agency.

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
California:						
San Diego	City of San Diego (17–09–1780P).	The Honorable Kevin L. Faulconer, Mayor, City of San Diego, 202 C Street, 11th Floor, San Diego, CA 92101.	Storm Water Division, 9370 Chesapeake Drive, Suite 100, MS 1900, San Diego, CA 92123.	*https://msc.fema.gov/portal/advanceSearch.*	Sep. 6, 2018	060295

State and county	Location and case No.	Chief executive officer of community	Community map repository	Online location of letter of map revision	Date of modification	Community No.
San Diego	Unincorporated Areas of San Diego County (17–09–2820P).	The Honorable Kristin Gasper, Chair, Board of Supervisor, San Diego County, 1600 Pacific Highway, Room 335, San Diego, CA 92101.	San Diego County Department of Public Works, 5510 Overland Avenue, Suite 410, San Diego, CA 92123.	*https://msc.fema.gov/portal/advanceSearch.*	Sep. 5, 2018	060284
Illinois:						
Cook	City of Des Plaines (18–05–1146P).	The Honorable Matthew J. Bogusz, Mayor, City of Des Plaines, 1420 Miner Street, Des Plaines, IL 60016.	Civic Center, 1420 Miner Street, 5th Floor, Des Plaines, IL 60016.	*https://msc.fema.gov/portal/advanceSearch.*	Aug. 24, 2018	170081
Will	City of Naperville (18–05–2871P).	The Honorable Steve Chirico, Mayor, City of Naperville, 400 South Eagle Street, Naperville, IL 60540.	City Hall, 400 South Eagle Street, Naperville, IL 60540.	*https://msc.fema.gov/portal/advanceSearch.*	Aug. 30, 2018	170213
Indiana:						
Elkhart	City of Goshen (17–05–7171P).	The Honorable Jeremy P. Stutsman, Mayor, City of Goshen, Goshen City Hall, 202 South 5th Street, Goshen, IN 46528.	City Hall, 204 East Jefferson, Suite 4, Goshen, IN 46528.	*https://msc.fema.gov/portal/advanceSearch.*	Sep. 7, 2018	180058
Elkhart	Unincorporated Areas of Elkhart County (17–05–7171P).	The Honorable Mike Yoder, President, Elkhart County Board of Commissioners, Elkhart County Office Building, 117 North 2nd Street, Goshen, IN 46526.	Elkhart County Public Services, 4230 Elkhart Road, Elkhart, IN 46526.	*https://msc.fema.gov/portal/advanceSearch.*	Sep. 7, 2018	180056
Kansas: Sedgwick	City of Wichita (17–07–1225P).	The Honorable Jeff Longwell, Mayor, City of Wichita, City Hall, 455 North Main Street, 1st Floor, Wichita, KS 67202.	Office of Storm Water Management, 455 North Main Street, 8th Floor, Wichita, KS 67202.	*https://msc.fema.gov/portal/advanceSearch.*	Aug. 30, 2018	200328
Minnesota:						
Hennepin	City of Independence (17–05–0617P).	The Honorable Marvin Johnson, Mayor, City of Independence, City Hall, 1920 County Road 90, Independence, MN 55359.	City Hall, 1920 County Road 90, Independence, MN 55359.	*https://msc.fema.gov/portal/advanceSearch.*	Aug. 27, 2018	270167
Hennepin	City of Minnetrista (17–05–0617P).	The Honorable Lisa Whalen, Mayor, City of Minnetrista, 7701 County Road 110 West, Minnetrista, MN 55364.	City Hall, 7701 County Road 110 West, Minnetrista, MN 55364.	*https://msc.fema.gov/portal/advanceSearch.*	Aug. 27, 2018	270175
Ohio: Lake	City of Mentor (18–05–1123P).	The Honorable John A. Krueger, President of Council, City of Mentor, Mentor Municipal Center, 8500 Civic Center Boulevard, Mentor, OH 44060.	Municipal Center, 8500 Civic Center Boulevard, Mentor, OH 44060.	*https://msc.fema.gov/portal/advanceSearch.*	Sep. 7, 2018	390317

[FR Doc. 2018–12741 Filed 6–13–18; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4340–DR; Docket ID FEMA–2018–0001]

Virgin Islands; Amendment No. 6 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the territory of the U.S. Virgin Islands (FEMA–4340–DR), dated September 20, 2017, and related determinations.

DATES: This amendment was issued May 18, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated May 18, 2018, the President amended the cost-sharing arrangements regarding Federal funds provided under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), in a letter to Brock Long, Administrator, Federal Emergency Management Agency, Department of Homeland Security, under Executive Order 12148, as follows:

I have determined that the damage in the territory of the U.S. Virgin Islands resulting from Hurricane Maria during the period of September 16–22, 2017, is of sufficient severity and magnitude that special cost-sharing arrangements are warranted regarding Federal funds provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act'').

Therefore, I amend my declarations of September 20, 2017, October 3, 2017, and March 15, 2018, to authorize the following: 90 percent Federal funding for Other Needs Assistance under section 408 of the Stafford Act and all categories of Public Assistance, except for assistance previously approved at 100 percent; a 120-day extension of the 100 percent Federal cost share for debris removal and emergency protective measures, with the extension of emergency protective measures being limited to Sheltering and Temporary

Essential Power (STEP); and a waiver of the non-Federal cost share for hazard mitigation measures authorized by section 404 of the Stafford Act, provided hazard mitigation grant funding is prioritized toward protecting Federal investments in the territory.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant)

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–12739 Filed 6–13–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report are used by insurance agents and others to calculate appropriate flood insurance premium rates for buildings and the contents of those buildings.

DATES: The date of September 14, 2018 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at *https://msc.fema.gov* by the date indicated above.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov;* or visit the FEMA Map Information eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at *https://msc.fema.gov.*

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation (Acting), Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
City and County of Denver, Colorado Docket No.: FEMA–B–1708	
City and County of Denver	Public Works Department, 201 West Colfax Avenue, Department 507, Denver, CO 80202.
Assumption Parish, Louisiana and Incorporated Areas Docket No.: FEMA–B–1709	
Town of Napoleonville	City Hall, 4813 Highway 1, 1st Floor, Napoleonville, LA 70390.
Unincorporated Areas of Assumption Parish	Assumption Parish Office of Homeland Security and Emergency Preparedness, 105 Dr. Martin Luther King Drive, Napoleonville, LA 70390.
Edgefield County, South Carolina and Incorporated Areas Docket No.: FEMA–B–1708	
Unincorporated Areas of Edgefield County	Edgefield County Building and Planning Department, 210 Penn Street, Edgefield, SC 29824.

Community	Community map repository address
McCormick County, South Carolina and Incorporated Areas Docket No.: FEMA–B–1708	
Unincorporated Areas of McCormick County	McCormick County Administration Center, 610 South Mine Street, McCormick, SC 29835.

[FR Doc. 2018–12737 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4367–DR; Docket ID FEMA–2018–0001]

Maine; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Maine (FEMA–4367–DR), dated May 30, 2018, and related determinations.

DATES: The declaration was issued May 30, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated May 30, 2018, the President issued a major disaster declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''), as follows:

I have determined that the damage in certain areas of the State of Maine resulting from a severe storm and flooding during the period of March 2–8, 2018, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Maine.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance in the designated areas and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation will be limited to 75 percent of the total eligible costs. Federal funds provided under the Stafford Act for Public Assistance also will be limited to 75 percent of the total eligible costs, with the exception of projects that meet the eligibility criteria for a higher Federal cost-sharing percentage under the Public Assistance Alternative Procedures Pilot Program for Debris Removal implemented pursuant to section 428 of the Stafford Act.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, James N. Russo, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Maine have been designated as adversely affected by this major disaster:

York County for Public Assistance.

All areas within the State of Maine are eligible for assistance under the Hazard Mitigation Grant Program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–12740 Filed 6–13–18; 8:45 am]

BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002]

Final Flood Hazard Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: Flood hazard determinations, which may include additions or modifications of Base Flood Elevations (BFEs), base flood depths, Special Flood Hazard Area (SFHA) boundaries or zone designations, or regulatory floodways on the Flood Insurance Rate Maps (FIRMs) and where applicable, in the supporting Flood Insurance Study (FIS) reports have been made final for the communities listed in the table below.

The FIRM and FIS report are the basis of the floodplain management measures that a community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report are used by insurance agents and others to calculate appropriate flood insurance premium rates for buildings and the contents of those buildings.

DATES: The date of October 5, 2018 has been established for the FIRM and, where applicable, the supporting FIS report showing the new or modified flood hazard information for each community.

ADDRESSES: The FIRM, and if applicable, the FIS report containing the final flood hazard information for each community is available for inspection at the respective Community Map Repository address listed in the tables below and will be available online through the FEMA Map Service Center at *https://msc.fema.gov* by the date indicated above.

FOR FURTHER INFORMATION CONTACT: Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472,

(202) 646–7659, or (email) *patrick.sacbibit@fema.dhs.gov*; or visit the FEMA Map Information eXchange (FMIX) online at *https://www.floodmaps.fema.gov/fhm/fmx_main.html.*

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the new or modified flood hazard information for each community listed. Notification of these changes has been published in newspapers of local circulation and 90 days have elapsed since that publication. The Deputy Associate Administrator for Insurance and Mitigation has resolved any appeals resulting from this notification.

This final notice is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the new or revised FIRM and FIS report available at the address cited below for each community or online through the FEMA Map Service Center at *https://msc.fema.gov.*

The flood hazard determinations are made final in the watersheds and/or communities listed in the table below.

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

David I. Maurstad,

Deputy Associate Administrator for Insurance and Mitigation (Acting), Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Bartow County, Georgia and Incorporated Areas Docket No.: FEMA–B–1718	
City of Adairsville	City Hall, 116 Public Square, Adairsville, GA 30103.
City of Cartersville	Planning and Zoning Department, 10 North Public Square, Cartersville, GA 30120.
City of Emerson	City Hall, 700 Highway 293, Emerson, GA 30137.
City of Euharlee	City Hall, 30 Burge's Mill Road, Euharlee, GA 30145.
City of Kingston	City Hall, 30 West Main Street, Kingston, GA 30145.
City of Taylorsville	Mayor's Office, 11 Euharlee Street, Taylorsville, GA 30178.
City of White	City Hall, 29 West Rocky Street, White, GA 30184.
Unincorporated Areas of Bartow County	Bartow County Engineering Department, 135 West Cherokee Avenue, Suite 124, Cartersville, GA 30120.
Cobb County, Georgia and Incorporated Areas Docket No.: FEMA–B–1718	
City of Acworth	City Hall, 4415 Senator Russell Avenue, Acworth, GA 30101.
City of Kennesaw	Public Works Department, 3080 Moon Station Road, Kennesaw, GA 30144.
City of Marietta	Public Works Department, 205 Lawrence Street, Marietta, GA 30060.
City of Smyrna	City Engineer's Office, Public Works Complex, 2190 Atlanta Road, Smyrna, GA 30080.
Unincorporated Areas of Cobb County	Cobb County Water System Stormwater Management, 680 South Cobb Drive, Marietta, GA 30060.
Jasper County, Iowa and Incorporated Areas Docket No.: FEMA–B–1723	
City of Colfax	City Hall, 19 East Howard Street, Colfax, IA 50054.
City of Kellogg	City Clerk's Office, 224 High Street, Kellogg, IA 50135.
City of Lynnville	City Hall, 308 East Street, Lynnville, IA 50153.
City of Mingo	City Hall, 100 North Station Street, Mingo, IA 50168.
City of Monroe	City Hall, 206 West Sherman Street, Monroe, IA 50170.
City of Newton	Public Works Building, 1700 North 4th Avenue West, Newton, IA 50208.
City of Prairie City	City Hall, 203 East Jefferson Street, Prairie City, IA 50228.
City of Reasnor	City Hall, 312 North Street, Reasnor, IA 50232.
City of Valeria	Valeria City Hall, 13922 Center Street, Colfax, IA 50054.
Unincorporated Areas of Jasper County	Jasper County Planning and Zoning Department, 115 North 2nd Avenue East, Newton, IA 50208.
Franklin Parish, Louisiana and Incorporated Areas Docket No.: FEMA–B–1709	
City of Winnsboro	City Hall, Mayor's Office, 3814 Front Street, Winnsboro, LA 71295.
Town of Wisner	Mayor's Office, 9530 Natchez Street, Wisner, LA 71378.
Unincorporated Areas of Franklin Parish	Franklin Parish, Court House, Police Jury Office, 6558 Main Street, Winnsboro, LA 71295.
Village of Baskin	Mayor's Office, 1325 Highway 15, Baskin, LA 71219.
Village of Gilbert	Mayor's Office, 7564 Gilbert Street, Gilbert, LA 71336.
West Carroll Parish, Louisiana and Incorporated Areas Docket No.: FEMA–B–1709	
Town of Oak Grove	Town Hall, 407 East Main Street, Oak Grove, LA 71263.

Community	Community map repository address
Unincorporated Areas of West Carroll Parish	West Carroll Parish Office of Homeland Security and Emergency Preparedness, 310 Skinner Lane, Oak Grove, LA 71263.
Village of Epps	Epps Town Hall, 120 Maple Street, Epps, LA 71237.
Village of Forest	Forest Community Center, 137 Walnut Street, Forest, LA 71242.
Village of Kilbourne	Village Hall, 125 Carnell Street, Kilbourne, LA 71253.
Village of Pioneer	Village Hall, 318 Cherry Street, Pioneer, LA 71266.
Lincoln County, Missouri and Incorporated Areas Docket No.: FEMA–B–1710	
City of Moscow Mills	City Hall, 995 Main Street, Moscow Mills, MO 63362.
City of Troy	City Hall, 800 Cap Au Gris Street, Troy, MO 63379.
Unincorporated Areas of Lincoln County	Lincoln County Offices, 250 West College Street, Troy, MO 63379.

[FR Doc. 2018–12738 Filed 6–13–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0010]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Nonimmigrant Petition Based on Blanket L Petition

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until July 16, 2018. This process is conducted in accordance with 5 CFR 1320.10.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be directed to the OMB USCIS Desk Officer via email at *dhsdeskofficer@omb.eop.gov*. All submissions received must include the agency name and the OMB Control Number 1615–0010 in the subject line.

You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make. For additional information please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov*.

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW, Washington, DC 20529–2140, Telephone number (202) 272–8377 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at *http://www.uscis.gov,* or call the USCIS National Customer Service Center at (800) 375–5283; TTY (800) 767–1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on January 31, 2018, at 83 FR 4502, allowing for a 60-day public comment period. USCIS received three substantive comments during the 60-day comment period. USCIS previously published a notice in the **Federal Register** requesting comments for 30-days on this information collection on April 27, 2018 at 83 FR 18582. We are publishing a second 30-day notice in the **Federal Register** because, although two of the comments were not placed in the docket by the end of the 60-day comment period, USCIS decided that they were timely, should be addressed, and require minor changes to the information collection that was submitted to OMB with the previous 30-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2006–0050 in the search box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection Request:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Nonimmigrant Petition Based on Blanket L Petition.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–129S; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Business or other for-profit.* Employers seeking to classify employees outside the United States as executives, managers, or specialized knowledge professionals, as nonimmigrant intra-company transferees pursuant to a previously approved blanket petition under sections 214(c)(2) and 101(a)(15)(L) of the Act, may file this form. USCIS uses

the information provided through this form to assess whether the employee meets the requirements for L–1 classification under blanket L petition approval. Submitting this information to USCIS is voluntary. USCIS may provide the information provided through this form to other Federal, State, local, and foreign government agencies and authorized organizations, and may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The estimated total number of respondents for the information collection I–129S is 75,000 and the estimated hour burden per response is 3 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 225,000 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $36,750,000.

Dated: June 8, 2018.

Samantha L. Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2018–12765 Filed 6–13–18; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0122]

Agency Information Collection Activities; Revision of a Currently Approved Collection: Identity, Credential, and Access Management (ICAM)

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 30-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The purpose of this notice is to allow an additional 30 days for public comments.

DATES: The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until July 16, 2018.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, must be directed to the OMB USCIS Desk Officer via email at *dhsdeskofficer@omb.eop.gov.* All submissions received must include the agency name and the OMB Control Number 1615–0122 in the subject line.

You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make. For additional information please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: USCIS, Office of Policy and Strategy, Regulatory Coordination Division, Samantha Deshommes, Chief, 20 Massachusetts Avenue NW, Washington, DC 20529–2140, Telephone number (202) 272–8377 (This is not a toll-free number; comments are not accepted via telephone message.). Please note contact information provided here is solely for questions regarding this notice. It is not for individual case status inquiries. Applicants seeking information about the status of their individual cases can check Case Status Online, available at the USCIS website at *http://www.uscis.gov,* or call the USCIS National Customer Service Center at (800) 375–5283; TTY (800) 767–1833.

SUPPLEMENTARY INFORMATION:

Comments

The information collection notice was previously published in the **Federal Register** on March 8, 2018, at 83 FR 9860, allowing for a 60-day public comment period. USCIS did/did not receive any comments in connection with the 60-day notice.

You may access the information collection instrument with instructions, or additional information by visiting the Federal eRulemaking Portal site at: *http://www.regulations.gov* and enter USCIS–2011–0015 in the search box. Written comments and suggestions from the public and affected agencies should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection Request:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* USCIS Identity, Credential, and Access Management (ICAM).

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* No Form Number; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. In order to interact with USCIS electronic systems accessible through the USCIS ICAM portal, a first time user must establish an account. The account creation process requires the user to submit a valid email address; create a password; select their preference for receiving a one-time password (via email address, mobile phone, or two-factor authentication application on a mobile device); select five password reset questions and responses; and indicate the account type they want to set up (customer or legal representative). The account creation and the account login processes both require the user to receive and submit a one-time password. The one-time password can be provided either as an email to an email address or to a mobile phone via text message. The customer also has the option of receiving a one-time password readable by a two-factor authentication application on a mobile device. If the authentication application option is selected, the customer can either scan a QR code or enter a text code.

USCIS ICAM currently grants access to myUSCIS and the USCIS information collections available for e-filing.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to*

respond: The estimated total number of respondents for the information collection ICAM is 2,406,880 and the estimated hour burden per response is 0.167 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual hour burden associated with this collection is 407,157 hours.

(7) *An estimate of the total public burden (in cost) associated with the collection:* The estimated total annual cost burden associated with this collection of information is $0.

Dated: June 8, 2018

Samantha L. Deshommes,

Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2018–12764 Filed 6–13–18; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[189A2100DD/AAKC001030/ A0A501010.999900 253G; OMB Control Number 1076–0183]

Agency Information Collection Activities; Secretarial Elections

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Indian Affairs (BIA) are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before August 13, 2018.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to the Chief, Division of Tribal Government Services, Office of Indian Services, Bureau of Indian Affairs, Department of the Interior, 1849 C Street NW, Mail Stop 3645–MIB, Washington, DC 20240; or by email to Laurel Iron Cloud at *laurel.ironcloud@bia.gov.* Please reference OMB Control Number 1076–0183 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Laurel Iron Cloud by email at *laurel.ironcloud@bia.gov,* or by telephone at (202) 513–7641.

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 BIA; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the BIA enhance the quality, utility, and clarity of the information to be collected; and (5) how might the BIA 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: Under the Indian Reorganization Act, Indian tribes have the right to organize and adopt constitutions, bylaws, and any amendments thereto, and ratify charters of incorporation, through elections called by the Secretary of the Interior, according to rules prescribed by the Secretary. See 25 U.S.C. 476, 477, 503. The Secretary's rules for conducting these elections, known as ''Secretarial elections,'' and approving the results are at 25 CFR 81. In most cases, the tribe requests a Secretarial election; however, an individual voting member of a tribe may also request a Secretarial election by petition. These rules also establish the procedures for an individual to petition for a Secretarial election.

BIA requires the tribe to submit a formal request for Secretarial election, including: A tribal resolution; the document or language to be voted on in the election; a list of all tribal members who are age 18 or older in the next 120 days (when the election will occur), including their last known addresses, voting districts (if any), and dates of birth, in an electronically sortable format.

While much of the information the tribe prepares for a Secretarial election (*e.g.,* list of members eligible to vote) would be required if the tribe instead conducted its own tribal election, the Secretary's rules establish specifics on what a tribal request or petition for election must contain. These specifics are necessary to ensure the integrity of Secretarial elections and allow Bureau of Indian Affairs (BIA) and tribal personnel the ability to consistently administer elections.

Title of Collection: Secretarial Elections.

OMB Control Number: 1076–0183.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Indian Tribes and their members.

Total Estimated Number of Annual Respondents: 252,041.

Total Estimated Number of Annual Responses: 252,041.

Estimated Completion Time per Response: Varies from 15 minutes to 40 hours.

Total Estimated Number of Annual Burden Hours: 64,305.

Respondent's Obligation: Required to Obtain a Benefit.

Frequency of Collection: On occasion.

Total Estimated Annual Nonhour Burden Cost: $110,880.

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*).

Dated: June 8, 2018.

Elizabeth K. Appel,

Director, Office of Regulatory Affairs and Collaborative Action—Indian Affairs.

[FR Doc. 2018–12802 Filed 6–13–18; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[189A2100DD/AAKC001030/ A0A501010.999900 253G]

Request for Nominations of Members To Serve on the Bureau of Indian Education Advisory Board for Exceptional Children

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of request for nominations.

SUMMARY: Pursuant to the Federal Advisory Committee Act and the Individuals with Disabilities Education Act of 2004 (IDEA), the Bureau of Indian Education (BIE) requests nominations of individuals to serve on the Advisory Board for Exceptional Children (Advisory Board). There will be eight positions available. Advisory Board members shall serve a staggered term of two years or three years from the date of their appointment. The BIE will consider nominations received in response to this request for nominations, as well as other sources.

The **SUPPLEMENTARY INFORMATION** section of this notice provides committee and membership criteria.

DATES: Please submit nominations by July 16, 2018.

ADDRESSES: Please submit nominations to Ms. Jennifer Davis, Designated Federal Officer (DFO), Bureau of Indian Education, Division of Performance and Accountability, 2600 N Central Ave., Suite 800, Phoenix, AZ 85004, Telephone (602) 265–1592 or (480) 777–7986; Fax to (602) 265–0293.

FOR FURTHER INFORMATION CONTACT: Ms. Jennifer Davis, DFO, at the above listed address and telephone number.

SUPPLEMENTARY INFORMATION: The Advisory Board was established in accordance with the Federal Advisory Committee Act, Public Law 92–463. The following provides information about the Committee, the membership and the nomination process.

1. Objective and Duties

(a) Members of the Advisory Board will provide guidance, advice and recommendations with respect to special education and related services for children with disabilities in BIE-funded schools in accordance with the requirements of IDEA;

(b) The Advisory Board will: (1) Provide advice and recommendations for the coordination of services within the BIE and with other local, State and Federal agencies; (2) Provide advice and recommendations on a broad range of policy issues dealing with the provision of educational services to American Indian children with disabilities; (3) Serve as advocates for American Indian students with special education needs by providing advice and recommendations regarding best practices, effective program coordination strategies, and recommendations for improved educational programming; (4) Provide advice and recommendations for the preparation of information required to be submitted to the Secretary of Education under 20 U.S.C. 1411 (h)(2); (5) Provide advice and recommend policies concerning effective inter/intra agency collaboration, including modifications to regulations, and the elimination of barriers to inter- and intra-agency programs and activities; and (6) Will report and direct all correspondence to the Assistant Secretary—Indian Affairs through the Director, BIE with a courtesy copy to the Designated Federal Officer (DFO).

2. Membership

(a) Pursuant to 20 U.S.C. 1411(h)(6), the Advisory Board will be composed of up to 15 individuals involved in or concerned with the education and provision of services to Indian infants, toddlers, children, and youth with disabilities. The Advisory Board composition will reflect a broad range of viewpoints and will include at least one member representing each of the following interests: Indians with disabilities; teachers of children with disabilities; Indian parents or guardians of children with disabilities; service providers, state education officials; local education officials; state interagency coordinating councils (for states having Indian reservations); tribal representatives or tribal organization representatives; and other members representing the various divisions and entities of the BIE. (b) The Assistant Secretary—Indian Affairs may provide the Secretary of the Interior recommendations for the chairperson; however, the chairperson and other Advisory Board members will be appointed by the Secretary of the Interior. Advisory Board members shall serve staggered terms of two years or three years from the date of their appointment.

3. Miscellaneous

(a) Members of the Advisory Board will not receive compensation, but will be reimbursed for travel, including subsistence, and other necessary expenses incurred in the performance of their duties in the same manner as persons employed intermittently in Government Service under 5 U.S.C. 5703. (b) A member may not participate in matters that will directly affect, or appear to affect, the financial interests of the member or the member's spouse or minor children, unless authorized by the appropriate ethics official. Compensation from employment does not constitute a financial interest of the member so long as the matter before the committee will not have a special or distinct effect on the member or the member's employer, other than as part of a class. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject. (c) The Advisory Board meets at least twice a year, budget permitting, but additional meetings may be held as deemed necessary by the Assistant Secretary—Indian Affairs or the DFO. (d) All Advisory Board meetings are open to the public in accordance with the Federal Advisory Committee Act regulations.

4. Nomination Information

(a) Nominations are requested from individuals, organizations, and federally recognized tribes, as well as from State Directors of Special Education (within the 23 states in which BIE-funded schools are located) concerned with the education of Indian children with disabilities as described above. (b) Nominees should have expertise and knowledge of the issues and/or needs of American Indian children with disabilities. Such knowledge and expertise are needed to provide advice and recommendations to the BIE regarding the needs of American Indian children with disabilities. (c) A summary of the candidates' qualifications (resume or curriculum vitae) must be included with the nomination application, which can be found on the Bureau of Indian Education website. Nominees must have the ability to attend Advisory Board meetings, carry out Advisory Board assignments, participate in teleconference calls, and work in groups. (d) The Department of the Interior is committed to equal opportunities in the workplace and seeks diverse Committee membership, which is bound by Indian Preference Act of 1990 (25 U.S.C. 472).

5. Basis for Nominations

If you wish to nominate someone for appointment to the Advisory Board, please do not make the nomination until the person has agreed to have his or her name submitted to the BIE for this purpose.

6. Nomination Application

Please fill out the application form completely and include a copy of the nominee's resume or curriculum vitae. The membership nomination form can be found on the BIE website at *http://www.bie.edu/Programs/SpecialEd/AdvisoryBoard/index.htm.*

7. Information Collection

This collection of information is authorized by OMB Control Number

1076–0179, ''Solicitation of Nominations for the Advisory Board for Exceptional Children.'' Before including your address, phone number, email address, or other personal identifying information in your nomination, please be aware that your entire nomination, 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.

Dated: June 7, 2018.

John Tahsuda,

Principal Deputy Assistant Secretary—Indian Affairs, Exercising the Authority of the Assistant Secretary—Indian Affairs.

[FR Doc. 2018–12805 Filed 6–13–18; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[RR84550000, 189R5065C6, RX.59389832.1009676]

Availability of Rural Water Supply Program Approved Appraisal Reports

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of availability.

SUMMARY: Reclamation has made available to the public seven Rural Water Supply Program approved appraisal reports.

ADDRESSES: The approved appraisal reports may be downloaded from Reclamation's website at *http://www.usbr.gov/ruralwater.* See **SUPPLEMENTARY INFORMATION** section for locations on where to obtain copies of the appraisal reports.

FOR FURTHER INFORMATION CONTACT: Mr. Max Millstein by telephone at (303) 445–2853, or by email at *mmillstein@usbr.gov.*

SUPPLEMENTARY INFORMATION: The Reclamation Rural Water Supply Act of December 22, 2006 (Pub. L. 109–451, Title I, 120 Stat. 3346, 43 U.S.C. 2401, *et seq.*) authorized Reclamation to establish a program to work with rural communities, including Indian tribes, in the 17 Western States to assess rural water supply needs and identify options to address those needs through appraisal investigations and feasibility studies.

Applicants submitted initial appraisal investigations for review of technical adequacy and completeness. Once reviewed, Reclamation prepared appraisal reports to document the findings and conclusions of the appraisal investigations that identified the water supply problems, needs, and opportunities in the planning study areas. Based on meeting the appraisal and eligibility criteria, as specified in Public Law 109–451, Reclamation determined the following seven appraisal investigations were complete; copies of the appraisal reports are available at *http://www.usbr.gov/ruralwater,* and hard copies are available for public review at the following locations:

- Lower Clearwater Exchange Project Appraisal Report, Bureau of Reclamation, Snake River Area Office, 230 West Collins Road, Boise, ID 83702; (208) 383–2246.
- Jemez Water Supply Appraisal Report, Bureau of Reclamation, Albuquerque Area Office, 555 Broadway NE, Suite 100, Albuquerque, NM 87102–2352; (505) 462–3540.
- Nye County Water District Water Supply Appraisal Report, Bureau of Reclamation, Phoenix Area Office, 6150 West Thunderbird Road, Glendale, AZ 85306–4001; (623) 773–6200.
- Platte Alliance Water System Rural Water Supply Project Appraisal Report, Bureau of Reclamation, Wyoming Area Office, 705 Pendell Boulevard, Mills, WY 82644; (307) 261–5671.
- San Juan—Mexican Hat to Kayenta Rural Water Supply Program Appraisal Report, Bureau of Reclamation, Provo Area Office, 302 East 1860 South, Provo, UT 84606–7317; (801) 379–1101.
- Southwestern Navajo Rural Water Supply Program Appraisal Report, Bureau of Reclamation, Phoenix Area Office, 6150 West Thunderbird Road, Glendale, AZ 85306–4001; (623) 773–6200.
- Sulphur Pipeline Regional Rural Water Supply Project Appraisal Report, Bureau of Reclamation, Great Plains Regional Office, 2021 4th Avenue North, Billings, MT 59101; (406) 247–7600.

Authority: Reclamation Rural Water Supply Act of December 22, 2006 (Pub. L. 109–451, Title I, 120 Stat. 3346, 43 U.S.C. 2401, *et seq.*).

Dated: March 26, 2018.

Ruth Welch,

Director, Policy and Administration.

[FR Doc. 2018–12793 Filed 6–13–18; 8:45 am]

BILLING CODE 4332–90–P

INTERNATIONAL TRADE COMMISSION

[USITC SE–18–027]

Government in the Sunshine Act Meeting Notice

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: June 20, 2018 at 11:00 a.m.

PLACE: Room 101, 500 E Street SW, Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agendas for future meetings: None.
2. Minutes.
3. Ratification List.
4. Vote on Inv. Nos. 731–TA–1374–1376 (Final) (Citric Acid and Certain Citrate Salts from Belgium, Colombia, and Thailand). The Commission is currently scheduled to complete and file its determinations and views of the Commission by July 6, 2018.
5. Vote on Inv. No. 731–TA–921 (Third Review) (Folding Gift Boxes from China). The Commission is currently scheduled to complete and file its determination and views of the Commission by July 2, 2018.
6. Outstanding action jackets: None.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: June 11, 2018.

William Bishop,

Supervisory Hearings and Information Officer.

[FR Doc. 2018–12859 Filed 6–12–18; 11:15 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Water Filters and Components Thereof, DN 3322;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

FOR FURTHER INFORMATION CONTACT: Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov,* and 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 United States International Trade Commission (USITC) at *https://www.usitc.gov.* The public record for this investigation may be viewed on the Commission's Electronic Document Information System (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 has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Electrolux Home Products, Inc. and KX Technologies, LLC on June 8, 2018. The complaint alleges violations of section 337 of the Tariff Act of 1930 (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 water filters and components thereof. The complaint names as respondents: Shenzen Calux Purification Technology Co., Limited of China; Guangzhou Zhixun Xingyi Information Technology Co., Ltd. of China; Ningbo Pureza Limited of China; JiangSu Angkua Environmental Technical Co., Ltd. of China; Ecopure Filter Co., Ltd. of China; Shenzhen Dakon Purification Tech Co., Ltd. of China; HongKong Ecoaqua Co., Limited of China; Ecolife Technologies, Inc. of City of Industry, CA; Ecolife Technologies, LLC of Brighton, CO; and Crystala Filters LLC of Totowa, NJ. The complainant requests that the Commission issue a general exclusion order, or in the alternative, a limited exclusion order, and cease and desist orders.

Proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five (5) pages in length, inclusive of attachments, on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to § 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the docket number (''Docket No. 3322) in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [1]). Persons with questions regarding filing should contact the Secretary (202–205–2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) By the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,[2] solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[3]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: June 11, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–12783 Filed 6–13–18; 8:45 am]

BILLING CODE 7020–02–P

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.*

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov.*

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140–0003]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Report of Multiple Sale or Other Disposition of Pistols and Revolvers—ATF F 3310.4

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed collection OMB 1140–0067 (Report of Multiple Sale or Other Disposition of Pistols and Revolvers—ATF F 3310.4) is being revised due to a change in burden, since there is an increase in the number of respondents, responses, and total burden hours. The proposed information collection was previously published in the **Federal Register**, on April 12, 2018, allowing for a 60-day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until July 16, 2018.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any other additional information, please contact Ed Stely, Branch Chief, Tracing Operations and Records Management Branch, National Tracing Center Division either by mail at 244 Needy Road, Martinsburg, WV 25405, by email at *Edward.Stely@atf.gov,* or by telephone at 304–260–1515. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the 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;
—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *The Title of the Form/Collection:* Report of Multiple Sale or Other Disposition of Pistols and Revolvers.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

Form number: ATF F 3310.4.

Component: Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Individuals or households.

Other: Federal Government, State, Local, or Tribal Government.

Abstract: This information collection documents certain sales or other dispositions of handguns for law enforcement purposes, and determines if the buyer is involved in an unlawful activity, or is a person prohibited by law from obtaining firearms.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 77, 905 respondents will respond approximately 5.85244 times to this information collection, and it will take each respondent approximately 15 minutes to complete the required form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 113, 984 hours which is equal to 77,905 (# of respondents) * 5.85244 (# of responses per respondent) * .25 (15 minutes).

(7) *An Explanation of the Change in Estimates:* The increase in the number of respondents by 4,106, the total responses by 126,768 and the IC burden hours by 31,692, are due to a revision of agency estimates and a general increase in the number of respondents since the last renewal in 2015.

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: June 11, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2018–12779 Filed 6–13–18; 8:45 am]

BILLING CODE 4410–14–P

DEPARTMENT OF JUSTICE

Notice of Extension of Public Comment Period for Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On May 16, 2018, the Department of Justice (DOJ) lodged a proposed consent decree with the United States District Court for the Southern District of Georgia in the lawsuit entitled *United States* v. *Hercules LLC,* Civil Action No. 2:18–cv–00062–LGW–RSB. At the request of some members of the public, DOJ is extending the public comment period for an additional 60 days.

The proposed consent decree would require defendant Hercules LLC to implement the interim remedy selected by the U.S. Environmental Protection Agency (EPA) for the outfall, known as Operable Unit 1, of the Terry Creek Dredge Spoil Areas/Hercules Outfall Site (''Site'') in Brunswick, in Glynn County, Georgia. The consent decree would also require the defendant to reimburse EPA $153,009.48 in past response costs at the Site, and to pay future response costs incurred by the United States in connection with this consent decree. Notice of the lodging of the decree was originally published in the **Federal Register** on May 23, 2018. See 83 FR 23937 (May 23, 2018). The publication of the original notice opened a thirty (30) day period for public comment on the Decree. The publication of the present notice extends the period for public comment on the Decree to August 21, 2018.

Comments concerning the consent decree should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Hercules, LLC,* D.J. Ref. No. 90–11–3–11685. All comments must be submitted no later than August 21, 2018. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $146.25 (25 cents per page reproduction cost) payable to the United States Treasury. For a paper copy without the exhibits and signature pages, the cost is $17.25.

Henry S. Friedman,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2018–12758 Filed 6–13–18; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2012–0002]

Asbestos in Construction Standard; 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 the proposal to extend OMB approval of the information collection requirements specified in the Asbestos in Construction Standard.

DATES: Comments must be submitted (postmarked, sent, or received) by August 13, 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–2012–0002, Occupational Safety and Health Administration, U.S. Department of Labor, Room N–3653, 200 Constitution Avenue NW, Washington, DC 20210. Deliveries (hand, express mail, messenger, and courier service) are accepted during the OSHA 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–2012–0002) 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 above address. 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 through the website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. You may also contact Christie Garner at (202) 693–2222 to obtain a copy of the ICR.

FOR FURTHER INFORMATION CONTACT: Thomas Mockler or Christie Garner, 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 process 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–95) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, the reporting burden (time and costs) is minimal, the 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 (see 29 U.S.C. 657). The OSH Act also requires OSHA to obtain such information with a minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of effort in obtaining said information (see 29 U.S.C. 657).

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.

The Asbestos in Construction Standard (29 CFR 1926.1101) protects workers from adverse health effects arising from workplace exposure to asbestos, including lung cancer, mesothelioma, asbestosis (an emphysema-like condition) and gastrointestinal cancer. The standard requires employers to monitor worker exposure, provide medical surveillance, and maintain accurate records of worker exposure to asbestos. These records will be used by employers, workers, and the

Government to ensure that workers are not harmed by exposure to asbestos in the workplace.

The Agency is requesting a burden hour adjustment decrease of 115,504 (from 3,881,183 hours to 3,765,679). Using updated data, and the fact that much of the remediation of asbestos products has likely taken place, the Agency estimates a decrease in employment from 1,338,403 to 1,301,735 workers. Also, the number of employers has decreased from 1,046,897 to 1,018,215.

III. Proposed Actions

Type of Review: Extension of a currently approved collection.

Title: Asbestos in Construction Standard (29 CFR 1926.1101).

OMB Control Number: 1218–0134.

Affected Public: Business or other for-profits.

Number of Respondents: 1,018,215.

Frequency: On occasion.

Average Time per Response: Varies.

Estimated Number of Responses: 38,279,930.

Estimated Total Burden Hours: 3,765,679.

Estimated Cost (Operation and Maintenance): $35,917,810.

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 (Docket No. OSHA–2012–0002) for the ICR. 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 electronic comments by your name, date, and the docket number so that 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 through 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 through 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 June 8, 2018.

Loren Sweatt,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2018–12792 Filed 6–13–18; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA–2018–040]

Advisory Committee on the Records of Congress

AGENCY: National Archives and Records Administration.

ACTION: Notice of Advisory Committee meeting.

SUMMARY: The National Archives and Records Administration (NARA) announces a meeting of the Advisory Committee on the Records of Congress. The committee advises NARA on the full range of programs, policies, and plans for the Center for Legislative Archives within NARA's Office of Legislative Archives, Presidential Libraries, and Museum Services (LPM).

DATES: The meeting will be held on June 18, 2018 from 10:00 a.m. to 11:30 a.m.

ADDRESSES: The Capitol Visitor Center, Congressional Meeting Room South.

FOR FURTHER INFORMATION CONTACT: Center for Legislative Archives (202) 357–5350 Sharon Shaver, *sharon.shaver@nara.gov.*

SUPPLEMENTARY INFORMATION: The meeting is open to the public. NARA announces advisory committee meetings in accordance with the Federal Advisory Committee Act (5 U.S.C. app 2). Due to unavoidable schedule conflicts and room limitations, this announcement is publishing with fewer than 15 days' notice of the meeting.

Agenda

(1) Chair's opening remarks—Clerk of the U.S. House of Representatives
(2) Recognition of co-chair—Secretary of the U.S. Senate
(3) Recognition of the Archivist of the United States
(4) Approval of the minutes of the last meeting
(5) House Archivist's report
(6) Senate Archivist's report
(7) Center for Legislative Archives update
(8) Other current issues and new business

Patrice Murray,

Alternate Committee Management Officer.

[FR Doc. 2018–12791 Filed 6–13–18; 8:45 am]

BILLING CODE 7515–01–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:* June 14, 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 June 8, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 440 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2018–163, CP2018–234.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–12744 Filed 6–13–18; 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:* June 14, 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 June 8, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 439 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2018–162, CP2018–233.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–12743 Filed 6–13–18; 8:45 am]

BILLING CODE 7710–12—P

POSTAL SERVICE

Temporary Emergency Committee of the Board of Governors; Sunshine Act Meeting

DATES AND TIMES: Wednesday, June 20, 2018, at 9:00 a.m.

PLACE: Washington, DC.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Wednesday, June 20, 2018, at 9:00 a.m.

1. Financial Matters.
2. Strategic Items.
3. Executive Session—Discussion of prior agenda items and Temporary Emergency Committee governance.

GENERAL COUNSEL CERTIFICATION: The General Counsel of the United States Postal Service has certified that the meeting may be closed under the Government in the Sunshine Act.

CONTACT PERSON FOR MORE INFORMATION: Michael J. Elston, Acting Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260–1000. Telephone: (202) 268–4800.

Michael J. Elston,

Acting Secretary.

[FR Doc. 2018–12868 Filed 6–12–18; 11:15 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:* June 14, 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 June 8, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 442 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2018–166, CP2018–238.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–12746 Filed 6–13–18; 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:* June 14, 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 June 8, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 441 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2018–164, CP2018–235.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–12745 Filed 6–13–18; 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:* June 14, 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 June 8, 2018, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Express & Priority Mail Contract 66 to Competitive Product List.* Documents are available at *www.prc.gov,* Docket Nos. MC2018–165, CP2018–236.

Elizabeth Reed,

Attorney, Corporate and Postal Business Law.

[FR Doc. 2018–12747 Filed 6–13–18; 8:45 am]

BILLING CODE 7710–12–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83397; File No. SR–NSCC–2018–002]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Clarify and Enhance Rules Related to Comparison and Recording of CMU Securities

June 8, 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 June 7, 2018, National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the clearing agency. NSCC filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act [3] and Rule

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

19b–4(f)(4) thereunder[4] so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of modifications to the Rules and Procedures of NSCC (''Rules'') in order to enhance the procedures that describe the process by which Members may submit debt securities, specifically transactions in corporate bonds, municipal bonds, and unit investment trusts (referred to as ''CMU securities''), for comparison and recording by (1) making certain clarifications and corrections to these procedures, and (2) adding a comparison tolerance of 20 business days for the trade dates of transactions submitted for comparison, as described below.[5]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency 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 clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

(A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

NSCC is proposing to make certain revisions to Procedure II, Section C and Section D of the Rules, which describes the service provided by NSCC that allows Members to submit transactions in CMU securities for comparison and recording. These sections of Procedure II describe the rules that govern comparison of submitted trade data, including the information that must be included in these submissions and the timing of the submission, how the resulting compared trades are reported by NSCC, and how eligible compared trades may be processed for clearance and settlement through NSCC's facilities, among other related matters.

NSCC is proposing to make a number of revisions to these sections of Procedure II in order to (1) clarify and enhance the disclosures, correct typographical and drafting errors, and update descriptions that no longer reflect current processing in order to improve the transparency of these provisions; and (2) include in the Rules a matching tolerance of 20 business days for the trade dates of submitted transactions in order to improve the accuracy of trade matching. Each of these proposed changes is described below.

(i) Proposed Changes To Clarify and Enhance Transparency

NSCC is proposing to make a number of technical, non-substantive revisions to Sections C and D of Procedure II in order to improve the descriptions of these procedures and enhance the transparency of the rules that apply to the comparison and recording of CMU securities at NSCC. These proposed changes are described below.

Proposed Rule Changes To Revise Verb Tense and Correct Typographical Errors

NSCC is proposing to revise the verb tense in order to use a present verb tense rather than a future verb tense, and to correct typographical errors. The proposed changes to revise the verb tense used in these procedures would align Sections C and D of Procedure II with other provisions within the Rules and, by using a present tense, would utilize more appropriate language for the description of procedures.

NSCC is also proposing to correct typographical errors in order to improve the descriptions of these procedures and avoid confusion in a Member's understanding of these procedures. For example, NSCC is proposing to correct a typographical error by revising the term ''insure'' to the term ''ensure'' in Procedure II, Section C, 1(a). NSCC is also proposing to correct the reference in the renumbered Procedure II, Section C, 1(k)(i) from ''price'' to ''amount'' to more accurately describe the information that is reported on the Consolidated Trade Summary (''CTS'').[6] The information that is being referred to in this sentence includes both price and quantity, and, therefore, is more accurately described as ''amount.''

NSCC is also proposing to change the term ''deleted'' to ''reversed'' in Procedure II, Section C, 2(e). While Members may submit an instruction to delete an uncompared trade if the firm does not agree with the terms of the trade, as described in Procedure II, Section C, 2(b), this sentence in Section C, 2(e) describes a different process by which a Member may submit an instruction to reverse a previously compared trade. As such, the proposed rule change would correct a typographical error and avoid any confusion about these two actions that may be caused by the misuse of this term. In connection with this proposed change, NSCC would also add ''reversed'' to the following Section C, 2(f), as the provisions of that section apply to both deleted and reversed transactions. This proposed change would clarify the applicability of this section to transactions that are reversed by a Member.

By correcting typographical errors in these procedures, the proposed rule changes would make the Rules accurate and clearer to Members regarding their rights and obligations in connection with the use of this service.

Proposed Rule Changes To Improve and Simplify Descriptions

NSCC is proposing rule changes that would enhance the descriptions of these procedures by disclosing additional information, and is also proposing rule changes that would simplify these descriptions by removing unnecessary information, as described below.

Enhancing Descriptions and Disclosing Additional Information. First, NSCC is proposing to make revisions that include descriptions of additional criteria for use of the comparison service or other additional disclosures that would improve the descriptions and enhance the transparency of these procedures.

NSCC is proposing to add MPID (the market participant identifier that is issued by the Financial Industry Regulatory Authority, Inc. and used to report trades) to the list of identifying trade data details required to be submitted for comparison processing in Procedure II, Section C, 1(b). This section includes a non-exhaustive list of trade data that NSCC may require to be submitted in connection with the use of this service, and provides that NSCC may require or permit Members to submit other identifying trade details. NSCC currently requires MPIDs among the trade data details that must be submitted for comparison purposes, and

[4] 17 CFR 240.19b–4(f)(4).

[5] Terms not defined herein are defined in the Rules, *available at http://www.dtcc.com/legal/rules-and-procedures.*

[6] The CTS is a report provided to Members that contains summarized trade obligation information. The CTS is described in Procedure II (Trade Comparison and Recording Service), Procedure V (Balance Order Accounting Operation) and Procedure VII (CNS Accounting Operation) of the Rules. NSCC recently implemented updates to the CTS. *See* Securities Exchange Act Release No. 79904 (January 31, 2017), 82 FR 9448 (February 6, 2017) (SR–NSCC–2016–008).

NSCC believes that adding this criteria to the Rules would improve the transparency of this requirement.

NSCC is proposing to revise the reference to ''OTC'' transactions to ''corporate bond security transactions'' and the reference to ''unit trust fund transactions'' to ''unit investment trust transactions'' in Procedure II, Section C, 1(f). ''OTC'' or ''over-the-counter'' securities are securities that are not traded on an exchange, and include debt securities such as corporate bonds. Therefore, while ''OTC'' is not incorrect in this context, NSCC believes the use of this term may imply that other transactions are being referred to in this subsection of the Rules. Therefore, NSCC is proposing to revise the term to more specifically refer to ''corporate bond security transactions.'' Additionally, the term ''unit trust fund transactions'' is not a term that is commonly used to refer to unit investment trust transactions. While these securities may be considered funds, the correct term for describing these transactions is ''unit investment trust transactions.'' Therefore, while these proposed revisions would not change what is intended by these terms, they would enhance the transparency of this section by using terminology that would be more clearly recognizable to Members.

NSCC is proposing to clarify the language in Procedure II, Section C, 1(h) to make clear that trades submitted for comparison may be identified as ''CNS-eligible,'' which would flag these trades to be processed through the CNS Accounting System; ''non-CNS-eligible,'' which would flag these trades to be processed through the Balance Order Accounting System; or ''Special Trade,'' which could flag these trades either for trade-for-trade processing, which normally settle outside of NSCC's facilitates, or for comparison-only processing. The proposed rule changes would add transparency to the Rules regarding how these designations impact the processing of trades submitted to NSCC.

NSCC is proposing to add a sentence to Procedure II, Section C, 1(i)(ii) to make clear that trades submitted for comparison-only processing are subject to the rules of the Municipal Securities Rulemaking Board (''MSRB''). NSCC believes that this clarification is appropriate because these submissions are not required to meet the eligibility requirements for clearance or settlement through NSCC's facilities, but must comply with the rules of the MSRB. Therefore, NSCC believes this proposed change would enhance the transparency of the Rules and would assist Members to understand the requirements that apply to these trades.

NSCC is proposing to add a reference to the ''Balance Order Accounting System'' to the renumbered subsection (k)(ii) of Procedure II, Section C, 1, which describes how eligible, compared trades may be further processed within NSCC's facilities. Currently, this subsection is incomplete and does not include reference to the Balance Order Accounting System, where eligible compared trades that are not eligible to be processed in the CNS Accounting System may be processed for clearance and settlement. Therefore, the proposed change would enhance this subsection by including this additional reference.

NSCC is proposing to add a sentence to the renumbered subsection (m) of Procedure II, Section C, 1 that would describe the process by which NSCC would convert a bilateral trade that matches a Qualified Special Representative (''QSR'') trade submission in all respects (other than its designation as a bilateral trade) into a QSR trade. NSCC is also proposing to add a new subsection (vi) to renumbered Procedure II, Section D, 2(g) that would describe the process by which NSCC would convert a bilateral trade that matches a syndicate takedown trade or reversal in all respects (other than its designation as a bilateral trade) into a syndicate takedown trade or reversal, as appropriate. These two automatic conversions are a part of NSCC's existing processes, but, because these conversions occur automatically and do not require any action by Members, these processes are not described in these sections of the Rules. NSCC believes these proposed changes to describe these automatic conversions would improve the transparency of the Rules and provide Members with notice that these conversions would occur in the described circumstances.

NSCC is proposing to revise the renumbered subsection (p) of Procedure II, Section C, 1 to clarify that NSCC processes cash transactions where the trade date for the submitted transaction is the same as the settlement date for comparison-only processing. Currently, this section of the Rules refers to these transactions as ''cash transactions,'' and the proposed change would improve the transparency of this section by including a further description of these transactions. This proposed change would provide Members with additional information regarding the types of transactions that are referred to in this section and, therefore, would improve the transparency of the Rules.

NSCC is proposing to revise Procedure II, Section C, 2(g) to make it clearer that NSCC permits certain trade details for uncompared trades to be modified by the submitter, provided, however, that trade details for syndicate takedown submissions are only permitted to be modified on the submission date. The proposed rule changes would also clarify that NSCC may limit the trade data that can be modified after a trade is matched. Although Section C, 2(g) currently describes these rules relating to the modification of submitted trade details, NSCC believes that the proposed revisions would improve those descriptions and thereby make such rules clearer to Members and improve the overall transparency of the Rules.

NSCC is proposing to revise Procedure II, Section C, 2(h), which provides that transactions that compare after a cutoff time designated by NSCC on the date the transaction was scheduled to settle are assigned a settlement date of the next business day after the day the transaction is compared. The proposed rule changes would clarify that these rules apply to any transactions that compare after the set cutoff time, and not only to transactions that compare for the first time (meaning, transactions that have not been previously submitted and reversed by the counterparties pursuant to the Rules). These proposed changes, and the other marked revisions to this section would clarify the applicability of these rules and would improve the readability, clarity and transparency of this Section C, 2(h).

Simplifying Descriptions and Removing Unnecessary Details. NSCC is also proposing to make revisions that would use fewer words to describe a procedure or otherwise remove unnecessary language that could cause confusion in the interpretation of the procedures. By rewording certain provisions and using simpler language in these descriptions, these proposed changes would improve the transparency of the procedures in Sections C and D of Procedure II.

NSCC is proposing to remove the following sentence from Procedure II, Section C, 1(h), ''Depending upon whether trade data is submitted on T or T+n and the format in which output is produced with respect to such data, the output may reflect totals.'' NSCC believes that this sentence is unnecessary for purposes of describing the procedures applicable to comparison and recording of CMU securities transactions. Therefore, the proposed rule change to remove this sentence would simplify the Rules and remove unnecessary statements that do not provide Members with important

additional information related to this service.

NSCC is proposing to remove from Procedure II, Section C, 2(c) a statement that a Member may submit an instruction to delete an uncompared trade if it finds that the trade data is incorrect. The immediately prior Section C, 2(b) of Procedure II states that a Member may submit an instruction to delete a trade if it does not agree with the terms of the trade. While the fact that the data is incorrect is most likely the basis for a Member to disagree with the terms of the trade, NSCC does not believe the statement it is proposing to remove from Procedure II, Section C, 2(c) adds to the rules, and believes this statement could indicate to a Member that its ability to delete an uncompared trade is limited to circumstances when the trade data is incorrect. NSCC believes the proposed rule change to remove this additional and unnecessary language would clarify Members' ability to submit a delete instruction.

NSCC is proposing to remove reference to comparison-only trades from the renumbered subsection (l) of Procedure II, Section C, 1, which incorrectly states that the rules of the MSRB are not applicable to comparison-only trades. This subsection describes certain rules that are applicable to trades that are designated as Special Trades, including the fact that these trades are subject to the rules of the MSRB. Currently, this subsection includes language that expressly excludes comparison-only trades. NSCC believes that expressly excluding comparison-only trades from this subsection could incorrectly imply to Members that the rules described in this subsection, including the applicability of the MSRB rules, do not apply to comparison-only trades. Procedure II, Section C, 1(i)(ii) describes the rules that apply to comparison-only trades, including the fact that these trades are subject to the rules of the MSRB. Therefore, NSCC is proposing to remove the express exclusion of comparison-only trades from the renumbered subsection (l) of Procedure II, Section C, 1, which is unnecessary and could cause confusion.

NSCC is proposing to remove from Procedure II, Section D, 2(A)(2)(b) the description of the timing by which an eligible transaction may enter the CNS Accounting Operation. The rules applicable to the CNS Accounting Operation, including, as applicable, any relevant timing of processing in that service, is described in Procedure VII. This information is not necessary for the operation of the comparison services, and removing this information would simplify these rules, improving their clarity to Members.

NSCC is also proposing to remove subsection 2(A)(2)(c) from Procedure II, Section D, which describes information included in the output NSCC produces in connection with the comparison service. As currently written, this subsection is incomplete and does not list all of the information that may be included in this output. Therefore, the current description could create confusion among Members regarding what information may be included in these reports. NSCC believes it is in Members' best interest that NSCC retain flexibility to add or remove information from these reports, for example, in response to Members' requests. As such, NSCC does not believe it is necessary to specify for Members the information that may be included in these reports. Therefore, NSCC believes the proposed change to remove the unnecessary section would simplify and improve the Rules.

NSCC is also proposing a number of revisions to the descriptions of the rules regarding submission and processing of syndicate takedown trades and syndicate takedown reversals in renumbered Procedure II, Section D, 2(A)(2)(g). The proposed revisions would not change the rules that apply to how these trades and reversals are processed, but would re-order the descriptions of these rules in order to simplify, clarify and improve the transparency of these provisions.

Proposed Rule Changes To Update and Correct Descriptions

NSCC is proposing rule changes that would update the procedures in order to accurately describe current processing and correct descriptions that have become outdated. Each of these proposed rule changes would improve the Rules by correcting these errors.

NSCC is proposing to amend Procedure II, Section C, 1(c)(1) and (2) in order to clarify that the tolerances for comparison of contract amounts apply only to bilateral trades, and state that the QSR's or syndicate manager's contract amount is used for QSR and syndicate trades for comparison purposes. Currently, these two subsections of the Rules describe the contract amount tolerances that are applicable to bilateral trades, but fail to specify which tolerances apply to bilateral trades, and which tolerances apply to QSR and syndicate trades. The proposed rule change would clarify that the tolerances currently described in these subsections apply only to bilateral trades, and would add to these subsections a description of the rules for comparing contract amounts applicable to QSR and syndicate trades.

NSCC is proposing to remove subsection (j) from Procedure II, Section C, 1, which states that Members may override clearing agent designations by submitting trade input for comparison using the appropriate Trade-for-Trade Indicator. NSCC is also proposing to remove from the renumbered Procedure II, Section C, 1(k)(i) the reference to ''any clearing agent indicated by the applicable contra party'' as an example of information that NSCC may provide on the CTS. Members that are Municipal Comparison Only Members may use another Member as their ''clearing agent'' to access NSCC's clearing and settlement services, and, historically, clearing agent designations had been reported on the CTS. However, in connection with its recent updates to the CTS, in response to Member feedback that it is no longer necessary to report these clearing agent designations, NSCC removed the designations from the CTS.[7] In error, NSCC did not remove references to the clearing agent designation from subsection (j) or from the renumbered subsection (k)(i) of Procedure II, Section C when it implemented these updates. Therefore, the proposed change would correct this error by removing from the Rules statements that are no longer accurate and could cause Members confusion regarding the use of this service.

Finally, NSCC is proposing two changes that would correct errors that it has identified in the Rules. The proposed changes would correct descriptions in these sections of the Rules in order to accurately describe processing that has been effective since this service was implemented over 10 years ago. While these changes would revise the Rules as written, the changes would not result in any change in the current operation of the service. NSCC does not believe that either of these changes would significantly affect the respective rights or obligations of NSCC or Members using this service.

First, NSCC is proposing to remove from Procedure II, Section C, 1(g) an incorrect statement that trades in municipal bonds must be submitted in multiples of a thousand. Municipal bonds may be submitted in quantities other than multiples of a thousand, and such submissions would be subject to the other provisions of this section that are applicable to submissions of trades in quantities other than multiples of a thousand (specifically, that such submissions be divided into separate

[7] *Supra* note 6.

submissions of the round lot and odd lot quantity, and that odd lot quantities are processed on a trade-for-trade basis). Therefore, in addition to removing this incorrect statement, NSCC would add municipal bonds to these statements within this same section. NSCC does not believe that this change would significantly affect the respective rights or obligations of NSCC or Members using this service because Members that are currently submitting municipal bonds in quantities of a thousand may continue to do so, and Members that submit municipal bonds in quantities other than multiples of a thousand may do so subject to the rules already described in this section.

Second, NSCC is proposing to revise Procedure II, Section D, 2(A), which specifically describes processing of when-issued securities. The special processing rules within this section do not apply to when-issued corporate bonds, which are instead processed in the same manner as all other transactions in corporate bonds. Therefore, this Procedure II, Section D, 2(A) incorrectly refers to corporate bonds and the proposed change to remove references to corporate bonds would correct this error. This proposed rule change would clarify that the provisions of this subsection apply only to transactions in municipal securities. NSCC does not believe that this change would significantly affect the respective rights or obligations of NSCC or Members using this service because Members would be able to continue to submit when-issued corporate bonds, and such securities would be processed through the regular processing rules.

(ii) Proposed Changes To Add a Trade Date Comparison Tolerance

NSCC is also proposing to amend Section C of Procedure II to include a comparison tolerance of 20 business days in order to improve the accuracy of the matching of submitted trade data. Currently, if two transactions are submitted that match in all other aspects as required by the Rules, but have different trade dates, NSCC uses the earlier of the two submitted trade dates in producing and recording a matched trade. Members that do not agree with the terms of a matched trade may submit an instruction to reverse a matched trade pursuant to Procedure II, Section C, 2(e). Therefore, this procedure will result in a matched trade if the counterparties submitted different trade dates in error, and Members are able to reverse that trade if the different trade dates were not submitted in error and the matched trade is incorrect.

NSCC is now proposing to include a tolerance of 20 business days to the comparison criteria for trade dates in order to improve the accuracy of its trade comparison service. In order to implement this change, NSCC is proposing to amend Procedure II, Section C, 1(d) to make clear a trade would be deemed compared if the submitted trade data matches in all required respects other than trade date, and the trade dates submitted are within 20 business days of each other. Under the proposed rule change, NSCC would continue to use the earlier of the submitted trade dates in the resulting compared trade. The proposed rule change would also make clear that a trade would remain uncompared if the trade dates submitted are not within the 20 business day tolerance. Members would still have the ability to submit instructions to reverse a trade if they disagree with the terms of a matched trade.

NSCC believes trade dates submitted for a trade that matches in all other required respects but are different by more than 20 business days are more likely submitted in error. For example, one counterparty may enter a trade date of March 1, 2018 and the other counterparty may enter for the same trade a trade date of March 1, 2008 by mistyping the year of the trade date. Under the current rules, NSCC would match the trade data and report a compared trade with a trade date of March 1, 2008, the earlier of the submitted trade dates, and the counterparties would have to submit instructions to either delete or reverse that trade, as appropriate. NSCC believes the proposed rule change would result in fewer trades that are compared using an earlier trade date that was submitted in error, and would result in more accurate comparison processing.

2. Statutory Basis

NSCC believes that the proposed changes are consistent with the Section 17A(b)(3)(F) of the Act, which requires, in part, that the rules of a registered clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions, for the reasons described below.[8] The proposed rule change would increase transparency of the Rules by clarifying and enhancing the descriptions of the CMU securities comparison service. In this way, the proposed changes would ensure that the Rules remain transparent, accurate and clear, which would enable Members to readily understand their rights and obligations in connection with the use of this service. Additionally, the proposal to add a 20 business day tolerance for comparison of trade dates would improve the accuracy of the comparison service. Eligible transactions that are submitted for comparison may also be processed for clearance and settlement through NSCC's CNS Accounting System or the Balance Order Accounting system, as applicable. Therefore, by improving the transparency of these Rules and the accuracy of the comparison service, resulting in fewer trades compared at an incorrect trade date, the proposed changes would also promote the prompt and accurate clearance and settlement of securities transactions, consistent with Section 17A(b)(3)(F) of the Act.[9]

Rule 17Ad–22(e)(23)(i) under the Act requires, in part, that NSCC establish, implement, maintain and enforce written policies and procedures reasonably designed to provide for publicly disclosing all relevant rules and material procedures.[10] As described above, the proposed rule change would improve the transparency, clarity and accuracy of the Rules, such that these provisions of the Rules would better disclose all relevant and material aspects of the comparison service. Therefore, NSCC believes the proposed rule changes are consistent with Rule 17Ad–22(e)(23)(i).[11]

(B) Clearing Agency's Statement on Burden on Competition

NSCC does not believe that the proposed rule changes would have any impact, or impose any burden, on competition. The proposed rule changes would improve Members' understanding of their rights and obligations with respect to the use of this service, and would improve the accuracy of the comparison service with respect to trade dates. These proposed changes would be applicable to all Members that utilize this comparison service, and would not alter Members' rights or obligations. Therefore, NSCC does not believe that the proposed rule changes would have any impact on competition.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

NSCC has not solicited or received any written comments relating to this proposal. NSCC will notify the

[8] 15 U.S.C. 78q–1(b)(3)(F).

[9] *Id.*

[10] 17 CFR 240.17Ad–22(e)(23)(i).

[11] *Id.*

Commission of any written comments that it receives.

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) of the Act [12] and paragraph (f) of Rule 19b–4 thereunder.[13] 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.

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–NSCC–2018–002 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–NSCC–2018–002. 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 NSCC and on NSCC's website (*http://dtcc.com/legal/sec-rule-filings.aspx*). 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–NSCC–2018–002 and should be submitted on or before July 5, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–12752 Filed 6–13–18; 8:45 am]

BILLING CODE 8011–01–P

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83398; File No. SR–FINRA–2018–013]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Designation of Longer Period for Commission Action on a Proposed Rule Change To Establish a Second Trade Reporting Facility in Conjunction With Nasdaq, Inc.

June 8, 2018.

On April 19, 2018, the Financial Industry Regulatory Authority, Inc. (''FINRA'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change to establish a second Trade Reporting Facility to be operated in conjunction with Nasdaq, Inc. The proposed rule change was published for comment in the **Federal Register** on April 26, 2018.[3] The Commission received no comment letters on the proposal.

Section 19(b)(2) of the Act [4] provides that, within 45 days of the publication of the notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day for this filing is June 10, 2018. The Commission is extending this 45-day time period.

The Commission has determined that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the issues raised by the proposed rule change. Accordingly, pursuant to Section 19(b)(2) of the Act,[5] the Commission designates July 25, 2018, as the date by which the Commission shall either approve, disapprove, or institute proceedings to determine whether to disapprove the proposed rule change (File No. SR FINRA–2018–013).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[6]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–12753 Filed 6–13–18; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 83082 (April 20, 2018), 83 FR 18379 (''Notice'').

[4] 15 U.S.C. 78s(b)(2).

[5] *Id.*

[6] 17 CFR 200.30–3(a)(31).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83396; File No. SR–BOX–2018–21]

Self-Regulatory Organizations; BOX Options Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule on the BOX Market LLC (''BOX'') Options Facility To Amend Fees and Rebates for Non-Auction Transactions

June 8, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 31, 2018, BOX Options Exchange LLC (the ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposed rule change pursuant to Section 19(b)(3)(A)(ii) of the

Act,[3] and Rule 19b–4(f)(2) thereunder,[4] which renders the proposal effective upon filing with the Commission. 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 the Substance of the Proposed Rule Change

The Exchange is filing with the Securities and Exchange Commission (''Commission'') a proposed rule change to amend the Fee Schedule on the BOX Market LLC (''BOX'') options facility. While changes to the fee schedule pursuant to this proposal will be effective upon filing, the changes will become operative on June 1, 2018. The text of the proposed rule change is available from the principal office of the Exchange, at the Commission's Public Reference Room and also on the Exchange's internet website at *http://boxexchange.com.*

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to make changes to Section I. (Electronic Transaction Fees).

Exchange Fees for Non-Auction Transactions

The Exchange proposes to adjust certain fees for Non-Auction Transactions. Currently, for all non-auction transactions, fees and credits are assessed depending upon three factors: (i) The account type of the Participant submitting the order; (ii) whether the Participant is a liquidity provider or liquidity taker; and (iii) the account type of the contra party. Non-Auction Transactions in Penny Pilot Classes are assessed different fees or credits than Non-Auction Transactions in Non-Penny Pilot Classes.

The current fees for Non-Auction Transactions are:

Account type	Contra party	Penny Pilot Classes		Non-Penny Pilot Classes	
		Maker fee	Taker fee	Maker fee	Taker fee
Public Customer	Public Customer	$0.05	$0.05	$0.05	$0.05
	Professional Customer/Broker Dealer	0.05	0.05	0.05	0.05
	Market Maker	0.05	0.05	0.05	0.05
Professional Customer or Broker Dealer	Public Customer	0.60	0.45	0.95	0.85
	Professional Customer/Broker Dealer	0.05	0.45	0.05	0.60
	Market Maker	0.05	0.45	0.05	0.60
Market Maker	Public Customer	0.27	0.43	0.65	0.80
	Professional Customer/Broker Dealer	0.00	0.29	0.00	0.40
	Market Maker	0.00	0.29	0.00	0.40

First, the Exchange proposes to remove the fees assessed for Public Customers that make or take liquidity against Public Customers in Penny Pilot and Non-Penny Pilot Classes. Next, the Exchange proposes to eliminate the fees assessed to Public Customers that make liquidity against Professional Customers/Broker Dealers and Market Makers in Penny Pilot and Non-Penny Pilot Classes. Lastly, the Exchange proposes to assess a $0.20 credit for Public Customers that take liquidity from Professional Customers/Broker Dealers and Market Makers in Penny Pilot Classes and a $0.50 credit for Public Customers that take liquidity from Professional Customers/Broker Dealers and Market Makers in Non-Penny Pilot Classes.

The Exchange proposes to adjust the fees assessed for Professional Customers and Broker Dealers. In Penny Pilot Classes, the Exchange proposes to adjust the fees assessed for Professional Customers and Broker Dealers that that take liquidity from all other Participants. Specifically, the Exchange proposes to increase the fee assessed to Professional Customers and Broker Dealers that take liquidity from Public Customers, Professional Customers/Broker Dealers and Market Makers to $0.50 from $0.45 in Penny Pilot Classes. Additionally, the Exchange proposes to increase the fees assessed for Professional Customers and Broker Dealers making liquidity against Professional Customers and Broker Dealers and Market Makers in Penny Pilot Classes to $0.15 from $0.05. For Non-Penny Pilot Classes, the Exchange proposes to increase the fees assessed for Professional Customers and Broker Dealers making liquidity against Non-Public Customers to $0.15 from $0.05. The Exchange also proposes to increase the fees assessed for Professional Customers and Broker Dealers taking liquidity from Public Customers to $0.95 from $0.85 in Non-Penny Pilot Classes. Lastly, with regard to Professional Customers/Broker Dealers taking liquidity from Professional Customers/Broker Dealers and Market Makers in Non-Penny Pilot Classes, the Exchange proposes to increase the fees assessed to $0.85 from $0.60.

The Exchange then proposes to adjust the fees assessed for Market Makers in Non-Auction Transactions. First, the Exchange proposes to increase the fees assessed on Market Makers making liquidity against a Public Customer to $0.50 from $0.27 in Penny Pilot Classes. With regard to Market Makers taking liquidity against Public Customers in Penny Pilot Classes, the Exchange proposes to increase the fee to $0.50 from $0.43. Further, the Exchange proposes to increase the fee for Market Makers taking liquidity against Professional Customers and Broker Dealers and Market Makers in Penny Pilot Classes to $0.50 from $0.29. Lastly, the Exchange proposes to adjust the fees assessed to Market Makers in Non-Penny Pilot Classes. Specifically, the

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b–4(f)(2).

Exchange proposes to increase the fee assessed to a Market Maker when making liquidity from a Public Customer in Non-Penny Pilot Classes to $0.95 from $0.65. In Non-Penny Pilot Classes, the Exchange proposes to increase the fee assessed to Market Makers taking liquidity from a Public Customer to $0.95 from $0.80. Lastly, the Exchange proposes to increase the fees assessed to Market Makers taking liquidity from Professional Customers/Broker Dealers and Market Makers in Non-Penny Pilot Classes to $0.75 from $0.40.

The fees for Non-Auction Transactions will be as follows:

Account type	Contra party	Penny Pilot Classes		Non-Penny Pilot Classes	
		Maker fee	Taker fee	Maker fee	Taker fee
Public Customer	Public Customer	$0.00	$0.00	$0.00	$0.00
	Professional Customer/Broker Dealer	0.00	(0.20)	0.00	(0.50)
	Market Maker	0.00	(0.20)	0.00	(0.50)
Professional Customer or Broker Dealer	Public Customer	0.60	0.50	0.95	0.95
	Professional Customer/Broker Dealer	0.15	0.50	0.15	0.85
	Market Maker	0.15	0.50	0.15	0.85
Market Maker	Public Customer	0.50	0.50	0.95	0.95
	Professional Customer/Broker Dealer	0.00	0.50	0.00	0.75
	Market Maker	0.00	0.50	0.00	0.75

Tiered Volume Rebate for Non-Auction Transactions

The Exchange proposes to amend Section I.A.1. of the BOX Fee Schedule, Tiered Volume Rebate for Non-Auction Transactions. Specifically, the Exchange proposes to adjust the rebates in the Tiered Volume Rebate for Public Customers in Non Auction Transactions. The current Tiered Volume Rebate for Public Customers in Non-Auction Transactions is as follows:

Tier	Percentage thresholds of national customer volume in multiply-listed options classes (monthly)	Per contract rebate			
		Penny Pilot Classes		Non-Penny Pilot Classes	
		Maker	Taker	Maker	Taker
1	0.000–0.129	$0.00	$0.00	$0.00	$0.00
2	0.130–0.339	(0.05)	(0.05)	(0.20)	(0.20)
3	0.340–0.549	(0.15)	(0.15)	(0.30)	(0.30)
4	0.550 and Above	(0.25)	(0.25)	(0.50)	(0.50)

The Exchange proposes to adjust certain maker and taker rebates in Tiers 2 through 4 of the Tiered Volume Rebate structure for Public Customers in both Penny Pilot Classes and Non-Penny Pilot Classes. The new per contract rebate for Public Customers in Non-Auction Transactions as set forth in Section I.A.1. of the BOX Fee Schedule will be as follows:

Tier	Percentage thresholds of national customer volume in multiply-listed options classes (monthly)	Per contract rebate			
		Penny Pilot Classes		Non-Penny Pilot Classes	
		Maker	Taker	Maker	Taker
1	0.000–0.129	$0.00	$0.00	$0.00	$0.00
2	0.130–0.339	(0.05)	(0.15)	(0.15)	(0.27)
3	0.340–0.549	(0.10)	(0.20)	(0.30)	(0.32)
4	0.550 and Above	(0.27)	(0.27)	(0.60)	(0.40)

2. Statutory Basis

The Exchange believes that the proposal is consistent with the requirements of Section 6(b) of the Act, in general, and Section 6(b)(4) and 6(b)(5)of the Act,[5] in particular, in that it provides for the equitable allocation of reasonable dues, fees, and other charges among BOX Participants and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers. The proposed changes will allow the Exchange to be competitive with other exchanges and to apply fees, credits and rebates in a manner that is equitable among all BOX Participants. Further, the Exchange operates within a highly competitive market in which market participants can readily direct order flow to any other competing exchange if they determine fees at a particular exchange to be excessive.

Non-Auction Transactions

The Exchange believes it is equitable, reasonable and not unfairly discriminatory to assess fees according to the account type of the Participant originating the order and the contra party. This fee structure has been in place on the Exchange since 2014 and the Exchange is simply adjusting certain fees within the structure.[6] The result of this structure is that a Participant does not know the fee it will be charged when submitting certain orders. Therefore, the Participant must recognize that it could be charged the

[5] 15 U.S.C. 78f(b)(4) and (5).

[6] *See* Securities Exchange Release No. 73547 (November 6, 2014), 79 FR 67520 (November 13, 2014) (Notice of Filing and Immediate Effectiveness SR–BOX–2014–25).

highest applicable fee on the Exchange's schedule, which may, instead, be lowered depending upon how the order interacts.

The Exchange believes removing non-auction transaction fees for Public Customers making or taking liquidity against Public Customers in Penny and Non-Penny Pilot Classes, as well as Public Customers making liquidity against Professional Customers, Broker Dealers and Market Makers is reasonable, equitable and not unfairly discriminatory. Further, the Exchange believes that providing a $0.20 and $0.50 credit to Public Customers that take liquidity from Professional Customers, Broker Dealers and Market Makers in Penny Pilot Classes and Non-Penny Pilot Classes, respectively, is also reasonable, equitable and not unfairly discriminatory. The Exchange notes that it has either not charged or provided a credit to Public Customers for Non-Auction Transactions on BOX in the past.[7] Further, the Exchange believes providing a credit or charging no fee to Public Customers for all Non-Auction Transactions is equitable and not unfairly discriminatory. The securities markets generally, and BOX in particular, have historically aimed to improve markets for investors and develop various features within the market structure for Public Customer benefit. Accordingly, the Exchange believes that charging no fee or providing a credit for Public Customers is appropriate and not unfairly discriminatory. Public Customers are less sophisticated than other Participants and the credit will help to attract a high level of Public Customer order flow to the BOX Book and create liquidity, which the Exchange believes will ultimately benefit all Participants trading on BOX.

Finally, the Exchange believes it is reasonable, equitable and not unfairly discriminatory to give Public Customers a credit (or charge no fee) when their orders execute against a non-Public Customer and, accordingly, charge non-Public Customers a higher fee when their orders execute against a Public Customer. As stated above, the Exchange aims to improve markets by developing features for the benefit of its Public Customers. Similar to the payment for order flow and other pricing models that have been adopted by the Exchange and other exchanges to attract Public Customer order flow, the Exchange increases fees to non-Public Customers in order to provide incentives for Public Customers. Further, the Exchange believes that providing a higher credit in Non-Penny Pilot Classes is reasonable. As discussed herein, Non-Penny Pilot Classes are traded less actively and the Exchange believes that providing this higher credit in Non-Penny Pilot Classes will provide incentive for Public Customers to trade in these classes. The Exchange believes that providing incentives for Non-Auction Transactions by Public Customers is reasonable and, ultimately, will benefit all Participants trading on the Exchange by attracting Public Customer order flow.

The Exchange believes that the proposed fees for Professional Customers and Broker Dealers in Non-Auction Transactions are reasonable. Under the proposed fee structure, a Professional Customer or Broker Dealer making liquidity and interacting with a Professional Customer, Broker Dealer or Market Marker will now be charged a fee of $0.15 in both Penny and Non-Penny Pilot Classes. If the Professional Customer or Broker Dealer is instead taking liquidity in the Penny Pilot, it will be charged $0.50 against any other Participant. If the Professional Customer or Broker Dealer is taking liquidity in the Non-Penny Pilot, it will be charged $0.95 if it interacts with a Public Customer and $0.85 if it interacts with a Professional Customer/Broker Dealer or Market Maker. The Exchange believes that the proposed fees are reasonable as they are in line with the current fees assessed by another competing exchange.[8]

The Exchange believes that charging Professional Customers and Broker Dealers higher fees than Public Customers for their Non-Auction Transactions is equitable and not unfairly discriminatory. Professional Customers, while Public Customers by virtue of not being Broker Dealers, generally engage in trading activity more similar to Broker Dealer proprietary trading accounts. The Exchange believes that the higher level of trading activity from these Participants will draw a greater amount of BOX system resources; the Exchange aims to recover its costs by assessing Professional Customers and Broker Dealers higher fees for transactions.

The Exchange believes that the proposed fees for Market Makers in Non-Auction Transactions are reasonable. With the proposed fee changes, a Market Maker making liquidity will now be charged a higher fee of $0.50 (Penny Pilot) and $0.95 (Non-Penny Pilot) for interacting with a Public Customer. Further, a Market Maker taking liquidity against a Public Customer will now be charged $0.50 in Penny Pilot Classes and $0.95 in Non-Penny Pilot Classes. If a Market Maker is taking liquidity in Penny Pilot Classes and interacts with a Professional Customer/Broker Dealer or Market Maker they will now be charged a fee of $0.50. Lastly, if a Market Maker is taking liquidity in Non-Penny Pilot Classes and interacts with a Professional Customer/Broker Dealer or Market Maker, they will now be charged $0.75. The Exchange believes the fees listed above are reasonable and appropriate as they are in line with what is currently charged by the industry.[9]

Further, the Exchange believes it is equitable and not unfairly discriminatory to charge the Market Maker equal or less for making or taking liquidity than Professional Customers or Broker Dealers. Specifically, Market Makers have certain obligations that other Participants do not and can ultimately provide more value by directing liquidity to the Exchange, which the Exchange believes will benefit all Participants trading on BOX.

The Exchange believes it is reasonable, equitable and not unfairly discriminatory for Professional Customers, Broker Dealers and Market Makers to be charged higher fees when interacting with Public Customers than interacting with other Participants on BOX. The Exchange believes they are reasonable as they are in a similar range with the fees in the options industry.[10] Further, as stated above, the Exchange believes charging a higher fee for interactions with a Public Customer when compared to interactions with other Participants is equitable and not unfairly discriminatory because it allows the Exchange to incentivize Public Customer order flow by offering low fees and rebate potential to Public Customers in Non-Auction Transactions. The Exchange believes that providing these incentives for Non-Auction Transactions by Public

[7] *Id. See also* Securities Exchange Act Release No. 75350 (July 1, 2015), 80 FR 39169 (July 8, 2015) (SR–BOX–2015–24).

[8] *See* Nasdaq ISE, LLC (''ISE'') Fee Schedule. On ISE, Professional Customers and Broker Dealers are charged $0.10 for making liquidity in Penny Pilot Classes and charged $0.46 for taking liquidity in Penny Pilot Classes. *See also* NYSE Arca Inc (''Arca'') Fee Schedule. Arca charges Professional Customers and Broker Dealers $1.10 for taking liquidity in Non-Penny Pilot Classes.

[9] *Id.* On ISE and Arca, the general range for Market Maker fees is between $0.10 and $1.10. The Exchange notes that Arca provides a rebate to Market Makers that post liquidity in both Penny and Non-Penny Pilot Classes.

[10] *Id.* On ISE and Arca, the general range for Broker Dealer and Professional Customer fees is between $0.10 and $1.10. The Exchange notes that Arca provides a rebate to Broker Dealers and Professional Customers that make liquidity in Penny and Non-Penny Pilot Classes.

Customers will benefit all Participants trading on the Exchange by attracting this Public Customer order flow.

The Exchange believes it is reasonable, equitable and not unfairly discriminatory that Professional Customers, Broker Dealers and Market Makers be charged a higher fee for certain orders removing liquidity, when compared to the fee they receive for orders that add liquidity. Charging a lower fee for orders that add liquidity will promote liquidity on the Exchange and ultimately benefit all participants on BOX. Further, the concept of incentivizing orders that add liquidity over orders that remove liquidity is commonly accepted within the industry as part of the ''Make/Take'' liquidity model.

The Exchange believes that providing a credit to Public Customers that take liquidity from Professional Customers/Broker Dealers and Market Makers in Penny and Non-Penny Pilot Classes, compared to the $0.00 fee they are assessed when making liquidity against Professional Customers/Broker Dealers and Market Makers, is reasonable, equitable and not unfairly discriminatory. Instead of providing a credit for both making and taking liquidity, the Exchange believes the high credit for taking liquidity will attract Public Customer order flow to BOX which, in turn, will lead to more robust market making on the Exchange, thus benefitting all market participants. The securities markets generally, and BOX in particular, have historically aimed to improve markets for investors and develop various features within the market structure for Public Customer benefit. As such, the Exchange believes the proposed credit to Public Customers that take liquidity from Professional Customers/Broker Dealers and Market Makers in Penny and Non-Penny Pilot classes is reasonable.

Finally, the Exchange also believes it is reasonable to charge Professional Customers and Broker Dealers and Market Makers less for certain executions in Penny Pilot issues compared to Non-Penny Pilot issues because these classes are typically more actively traded; assessing lower fees will further incentivize order flow in Penny Pilot issues on the Exchange, ultimately benefiting all Participants trading on BOX.

Tiered Volume Rebate for Non-Auction Transactions

BOX believes it is reasonable, equitable and not unfairly discriminatory to adjust certain rebates in the volume based thresholds for Public Customers in all Non-Auction Transactions. The volume based thresholds and applicable rebates are meant to incentivize Public Customers to direct order flow to the Exchange to obtain the benefit of the rebate, which will in turn benefit all market participants by increasing liquidity on the Exchange. Other exchanges employ similar incentive programs; [11] and the Exchange believes that the proposed changes to the volume based rebates are reasonable and competitive when compared to incentive structures at other exchanges.

The Exchange believes it is reasonable to offer a higher per contract rebate for transactions in Non-Penny Pilot Classes compared to Penny Pilot Classes because Non-Penny Pilot Classes are typically less actively traded and have wider spreads. The Exchange believes that offering a higher rebate will incentivize Public Customer order flow in Non-Penny Pilot issues on the Exchange, ultimately benefitting all Participants trading on BOX.

The Exchange believes it is reasonable to adjust certain rebates in Tiers 2 through 4 of the Tiered Volume Rebate for Public Customers making and taking liquidity in Non-Auction Transactions. The rebates are meant to incentivize Public Customers to direct order flow to the Exchange to obtain the benefit of the rebate, which will in turn benefit all market participants by increasing liquidity on the Exchange.

The Exchange continues to believe it is equitable and not unfairly discriminatory to have these rebate structures for Public Customers in Non-Auction transactions. The practice of incentivizing increased Public Customer order flow is common in the options markets. While the Exchange proposes to decrease some of the Public Customer rebates in Penny and Non-Penny Pilot Classes, the Exchange believes that Public Customers will still benefit from the opportunity to obtain a rebate. Additionally, most Public Customers currently achieve a volume based rebate in their Non-Auction transactions.

Further, the Exchange believes that providing a higher per contract rebate for Public Customers taking liquidity in Penny and Non-Penny Pilot Classes compared to making liquidity is reasonable and appropriate. As discussed above, the Exchange believes the proposed rebates for taking liquidity in Penny and Non-Penny Pilot Classes will attract Public Customer order flow to BOX which, in turn, will lead to more robust market making on the Exchange, thus benefitting all market participants. As such, the Exchange believes that the proposed changes are reasonable and appropriate.

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 believes that the proposed adjustments to fees in the Non-Auction Transactions fee structure will not impose a burden on competition among various Exchange Participants. Rather, BOX believes that the changes will result in the Participants being charged appropriately for these transactions and are designed to enhance competition in Non-Auction transactions on BOX. Submitting an order is entirely voluntary and Participants can determine which type of order they wish to submit, if any, to the Exchange.

The Exchange believes that amending the proposed rebate structure for Public Customer Non-Auction Transactions will not impose a burden on competition among various Exchange Participants. The Exchange believes that the proposed changes will result in Public Customers being rebated appropriately for these transactions. Further, the Exchange believes that this proposal will enhance competition between exchanges because it is designed to allow the Exchange to better compete with other exchanges for order flow.

Finally, the Exchange notes that it operates in a highly competitive market in which market participants can readily favor competing exchanges. In such an environment, the Exchange must continually review, and consider adjusting, its fees and credits to remain competitive with other exchanges. For the reasons described above, the Exchange believes that the proposed rule change reflects this competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

[11] *See* Section B of the PHLX Pricing Schedule entitled ''Customer Rebate Program;'' and Cboe Exchange, Inc. (''CBOE'') Volume Incentive Program (''VIP''). CBOE's VIP pays certain tiered rebates to Trading Permit Holders for electronically executed multiply-listed option orders, which include AIM orders.

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 Exchange Act [12] and Rule 19b–4(f)(2) thereunder,[13] because it establishes or changes a due, or fee.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend the rule change if it appears to the Commission that the action is necessary or appropriate in the public interest, for the protection of investors, or would otherwise further 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–BOX–2018–21 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–BOX–2018–21. 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 such 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–BOX–2018–21, and should be submitted on or before July 5, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–12751 Filed 6–13–18; 8:45 am]

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[12] 15 U.S.C. 78s(b)(3)(A)(ii).

[13] 17 CFR 240.19b–4(f)(2).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–83401; File No. SR–FICC–2018–003]

Self-Regulatory Organizations; Fixed Income Clearing Corporation; Order Approving Proposed Rule Change To Amend the Fee Structure of the Government Securities Division Rulebook

June 8, 2018.

On April 27, 2018, Fixed Income Clearing Corporation (''FICC'') filed with the Securities and Exchange Commission (''Commission'') proposed rule change SR–FICC–2018–003, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder.[2] The proposed rule change was published for comment in the **Federal Register** on May 8, 2018.[3] The Commission received one comment letter on the proposed rule change.[4] For the reasons discussed below, the Commission approves the proposed rule change.

I. Description of the Proposed Rule Change

The proposed rule change would amend the FICC Government Securities Division (''GSD'') Rulebook (''GSD Rules'') [5] to modify the GSD Fee Structure. FICC states that it designed the proposed rule change to reduce complexity and to better align pricing with the costs of services provided by GSD.[6] More specifically, FICC states that the transaction processing fees and the position management fees associated with the delivery-versus-payment (''DVP'') service account for approximately 30 percent and 70 percent, respectively, of GSD's projected costs from the DVP service.[7] Accordingly, FICC states that the proposed fee changes are designed to align GSD's revenue with that 30/70 percent split between transaction processing and position management costs, respectively.[8] In doing so, FICC would shift the GSD Fee Structure regarding the DVP service away from the existing volume-driven approach to a position-based approach.[9] Ultimately, FICC expects GSD's net revenue to remain relatively unchanged as a result of this proposal.[10]

A. Proposed Changes to the GSD Fee Structure

The proposed GSD Fee Structure would, in effect, establish 4 new fees, modify 1 existing fee, and eliminate 12 fees.[11] These proposed changes are summarized below.

1. New Fees

In proposed Section I of the GSD Fee Structure, FICC would replace the seven-tiered trade submission fees for both dealer accounts and broker accounts with a single transaction processing fee that would be charged to GSD members (''Members'') upon the comparison of a side of a buy/sell transaction or a Repo Transaction in the DVP service.[12] Specifically, dealer accounts would be charged a fee of $0.04 per million par value for transaction processing, and broker accounts would be charged a fee of

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 83153 (May 2, 2018), 83 FR 20882 (May 8, 2018) (SR–FICC–2018–003) (''Notice'').

[4] Letter from Ted Bragg, Vice President—Head of U.S. Fixed Income, Nasdaq (''Nasdaq''), dated May 14, 2018, to Eduardo A. Aleman, Assistant Secretary, Commission (''Nasdaq Letter'') *available at https://www.sec.gov/comments/sr-ficc-2018-003/ficc2018003.htm.*

[5] *Available at http://www.dtcc.com/legal/rules-and-procedures.*

[6] Notice, 83 FR at 20882.

[7] *Id.* at 20884.

[8] *Id.*

[9] *Id.*

[10] *Id.*

[11] *Id.*

[12] *Id.*

$0.02 per million par value for transaction processing.[13]

FICC also would add two position management fees applicable to the DVP service in proposed Section II of the GSD Fee Structure.[14] The first position management fee would be the intraday position fee of $0.04 per million par value that would be calculated for a Member each business day based on the largest gross position of the Member (including positions of any non-Member that the Member is clearing for) that business day.[15] FICC states that it would determine the gross position of a Member in 15-minute intervals between 9:00 a.m. and 4:00 p.m. each business day by netting the par value of all compared buy/sell transactions, Repo Transactions, and unsettled obligations of the Member (including any such activity submitted by the Member for a non-Member that the Member is clearing for) by CUSIP number and taking the sum of the absolute par value of each such CUSIP number.[16]

The second position management fee would be the end of day position fee of $0.115 per million par value that would be calculated for a Member each business day based on the end of day gross position of the Member (including positions of any non-Member that the Member is clearing for) that business day.[17] FICC states that it would determine the end of day gross position of a Member by netting the par value of all compared buy/sell transactions, Repo Transactions, and unsettled obligations of the Member (including any such activity submitted by the Member for a non-Member that the Member is clearing for) at the end of the business day by CUSIP number and taking the sum of the absolute par value of each such CUSIP number.[18]

2. Modified Existing Fee

FICC would modify the existing minimum monthly fee in proposed Section V of the GSD Fee Structure.[19] The minimum monthly fee would be increased from $1,000 to $2,500 per account and would apply to all accounts of every comparison-only Member and netting Member instead of just their sole or primary account.[20] FICC states that it is proposing to increase the minimum monthly fee to $2,500 per account because FICC believes this change would better reflect GSD's costs of account monitoring.[21]

3. Eliminated Fees

FICC is proposing to delete fees in Section I of the GSD Fee Structure that are no longer applicable.[22] Specifically, FICC is proposing to delete Section I.B. of the GSD Fee Structure, which imposes certain surcharges on Members submitting trade data to GSD using submission methods other than the Interactive Submission Method (*e.g.,* the Multiple Batch Submission Method or the Single Batch Submission Method).[23] FICC states that these surcharges are no longer required because all Members currently submit trade data to GSD using the Interactive Submission Method, and FICC does not expect that to change in the future because of technological advancements in real-time trade submission capability across the financial industry.[24] FICC would also make conforming re-lettering of the subsequent provisions in Section I of the GSD Fee Structure.[25]

FICC would eliminate all netting fees provided in renumbered Section IV of the GSD Fee Structure, including (i) the two seven-tiered netting fees for both broker accounts and dealer accounts; (ii) the ''into the net'' fees of $0.015 per one million of par value for broker accounts and $0.016 per one million of par value for dealer accounts for each compared trade, start leg of a Repo Transaction, close leg of a Repo Transaction, fail deliver obligation, and fail receive obligation; and (iii) the ''out of the net'' fees of $0.175 per one million of par value for each deliver obligation and receive obligation created as a result of the netting process.[26]

In addition, FICC would delete from renumbered Section IV.C. of the GSD Fee Structure the Repo Transaction processing fees and related language for Term Repo Transactions in the DVP service that have been compared and netted but not yet settled.[27] FICC states that this would no longer separate the Repo Transaction processing fees for Term Repo Transactions.[28] Rather, FICC states that the Term Repo Transactions would be assessed the proposed position management fees, just like overnight Repo Transactions and buy/sell transactions.[29]

Additionally, FICC would eliminate fees applicable to additional accounts from current Section V of the GSD Fee Structure.[30] FICC currently differentiates its fees based on whether an account is a Member's primary or secondary account. FICC would no longer draw this distinction. FICC states that eliminating fees applicable to additional accounts would reduce pricing complexity and thereby enhance pricing transparency because Members would no longer need to keep track of their primary versus secondary accounts.

4. Conforming, Clarifying, and Technical Changes

As described below, FICC proposes to make a number of conforming, clarifying, and technical changes.

First, FICC would rename the heading of Section I of the GSD Fee Structure from ''Trade Comparison Fees'' to ''Transaction Fees.''[31] FICC states that this would better reflect the proposed changes to that section, as described above.[32]

FICC would rename the heading of Section I.A. of the GSD Fee Structure from ''Trade Submission'' to ''Transaction Processing.''[33] In addition, FICC would make changes throughout Section I.A. of the GSD Fee Structure to clarify that references to a ''trade'' means a ''buy/sell transaction.''[34] FICC would also make a number of conforming changes in Section I.A. of the GSD Fee Structure.[35] Specifically, FICC would delete a reference to ''submission fee'' and replace it with ''processing fee.''[36] FICC would update the reference to ''subsection D'' to reflect the proposed re-lettering of that subsection.[37]

Additionally, FICC would update the format of (i) the ''$.50'' rejection fee to ''$0.50'' in Section I.A. of the GSD Fee Structure; (ii) the ''15 cents'' yield-to-price conversion charge to ''$0.15'' in the proposed Section I.B. of the GSD Fee Structure; (iii) the ''25 cents'' and ''5

[13] *Id.* Broker accounts submit two sides per transaction. *Id.* As such, a broker account would be charged a total of $0.04 per million par value (*i.e.,* $0.02 per million par value times two) for each transaction. *Id.*

[14] Notice, 83 FR at 20882.

[15] *Id.*

[16] *Id.*

[17] *Id.* at 20884–85.

[18] *Id.* at 20885.

[19] *Id.*

[20] *Id.* The minimum monthly fee would apply to all accounts of a netting Member, including any account the netting Member may have as a sponsoring Member. *Id.*

[21] Notice, 83 FR at 20885.

[22] *Id.* at 20884.

[23] *Id.*

[24] *Id.*

[25] *Id.*

[26] *Id.* at 20885.

[27] *Id.*

[28] *Id.* The term ''Term Repo Transaction'' means, on any particular business day, a Repo Transaction for which settlement of the close leg is scheduled to occur two or more business days after the scheduled settlement of the start leg. *See* GSD Rule 1, Definitions, GSD Rules, *supra* note 5.

[29] Notice, 83 FR at 20885.

[30] *Id.*

[31] *Id.* at 20886.

[32] *Id.*

[33] *Id.*

[34] *Id.*

[35] *Id.*

[36] *Id.*

[37] *Id.*

cents'' modification/cancellation fees to ''$0.25'' and ''$0.05,'' respectively, in the proposed Section I.C. of the GSD Fee Structure; (iv) the ''25 cents'' coupon pass-through fee to ''$0.25'' in the proposed Section I.D. of the GSD Fee Structure; (v) the ''$.75'' repurchase agreement collateral substitution fee to ''$0.75'' in the proposed Section I.E. of the GSD Fee Structure; (vi) the ''$.07'' and ''$.025'' recording fees to ''$0.07'' and ''$0.025'' in the proposed Section I.G. of the GSD Fee Structure; and (vii) the ''$.07'' recording fee to ''$0.07'' in the proposed Section I.H. of the GSD Fee Restructure, in order to be consistent with the format of the other fees in the GSD Fee Structure.[38]

FICC states that for better organization of the GSD Fee Structure, FICC would relocate current Sections III.B. (Auction Takedown Process), III.F. (Coupon Pass-Through Fee), and III.G. (Repo Collateral Substitution Fees), which cover fees associated with the Auction Takedown Service, pass-through of coupon payments, and the processing of repurchase agreement collateral substitution requests, to proposed Sections I.F., I.D., and I.E., respectively, of the GSD Fee Structure because each of these fees is a type of transaction fee.[39]

In addition, FICC would revise the section on Auction Takedown Process (proposed Section I.D. of the GSD Fee Structure) by replacing the words ''locked-in trades'' with ''buy/sell transactions'' because, FICC states, all trades associated with the Auction Takedown Service are locked-in.[40] FICC would change this section to reflect that, instead of the ''Trade Submission'' fees, fees for trades associated with the Auction Takedown Service would include the proposed ''Transaction Processing'' fees in Section I.A. of the GSD Fee Structure and the proposed ''Position Management Fees'' in Section II of the GSD Fee Structure.[41]

FICC would make a conforming change in the proposed Section I.G. of the GSD Fee Structure by deleting the reference to ''Trade Submission'' fee schedule and replacing it with ''Transaction Processing'' fees.[42]

FICC would renumber current Section II of the GSD Fee Structure to proposed Section III of the GSD Fee Structure.[43]

FICC would rename the heading of renumbered Section IV of the GSD Fee Structure from ''Netting Fee and Charges (in addition to the comparison fee)'' to ''Other Charges (in addition to the transaction fees)'' to, FICC states, better reflect the proposed changes to this section, as described above.[44]

As described above, FICC would relocate current Sections III.B. (Auction Takedown Process), III.F. (Coupon Pass-Through Fee), and III.G. (Repo Collateral Substitution Fees) to proposed Sections I.F., I.D., and I.E., respectively, of the GSD Fee Structure.[45] These proposed changes would necessitate a re-lettering of all subsequent provisions in renumbered Section IV of the GSD Fee Structure.[46]

In addition, FICC would rename the heading of renumbered Section IV.C. of the GSD Fee Structure from ''Repo Transaction Processing Fee'' to ''GCF Repo Transaction and CCIT Transaction Processing Fee'' to better reflect the proposed changes to this section.[47] FICC would make two conforming changes: (i) Relocate and update the reference to ''Repo Broker'' definition to appear right after the first usage of ''Repo Broker'' in this section; and (ii) reflect the remaining fee in renumbered Section IV.C. of the GSD Fee Structure in a singular form.[48]

In addition, FICC would make a conforming change in renumbered Section IV.D. of the GSD Fee Structure to reflect the proposed renumbering of sections in the GSD Fee Structure by changing a reference from ''Section III'' to ''Section IV.''[49]

FICC would add a sentence to proposed Section V of the GSD Fee Structure that, FICC states, would make it clear to Members that the minimum monthly fee would not apply to an account if the total monthly fees incurred by the account pursuant to Sections I, II (a proposed new section), and IV (renumbered from III) of the GSD Fee Structure exceed $2,500.[50]

FICC would make changes in Section VI of the GSD Fee Structure to, FICC states, clarify that references to ''trades'' means ''buy/sell transactions and Repo Transactions.''[51]

FICC would make two changes to Section VII of the GSD Fee Structure. FICC would delete the reference to the fee for additional accounts, which is being eliminated under the proposal.[52] FICC states that the second change would make it clear that a sponsoring Member would be subject to the minimum monthly fee set forth in proposed Section V of the GSD Fee Structure.[53] FICC states that this proposed change would make it clear to a sponsoring Member that its sponsoring Member omnibus account would be subject to the minimum monthly fee.[54]

In current Section VIII of the GSD Fee Structure, FICC would (i) make a technical change to reflect the reference to the GSD Fee Structure as ''Fee Structure'' instead of ''fee structure,'' and (ii) make changes to clarify that references to a ''trade'' means a ''buy/sell transaction.''[55] In addition, FICC would clarify that a CCIT Transaction, like a Term GCF Repo Transaction, would be considered to have one Start Leg and one Close Leg during its term.[56]

FICC would make a conforming change in current Section XII of the GSD Fee Structure by deleting the reference to ''comparison and netting fees'' and replacing it with ''transaction fees.''[57] In addition, FICC would make a technical change by deleting the outdated reference to ''Operations and Planning Committee'' and replacing it with Board, which is defined in GSD Rule 1 (Definitions) as ''the Board of Directors of Fixed Income Clearing Corporation or a committee thereof acting under delegated authority.''[58]

FICC plans to implement all of the above proposed changes on July 2, 2018.[59]

II. Summary of Comment Received

The Commission received one comment letter to the proposed rule change.[60] The Nasdaq Letter supports the proposed rule change. Specifically, Nasdaq states that it ''supports the [proposed rule change] because it: (1) Simplifies and adds transparency to FICC's fee schedule; (2) introduces a sensible risk-based fee model; and (3) permits and incentivizes more market participants to utilize central clearing for U.S. Treasury Securities. . . .''[61] Nasdaq further states that the proposed rule change would likely result in more widespread use of FICC's central clearing services, reducing systemic risk by moving the industry closer to comprehensive central clearing.[62] Nasdaq states that more widespread industry use of FICC's central clearing

[38] *Id.*
[39] *Id.*
[40] *Id.*
[41] *Id.*
[42] *Id.*
[43] *Id.*
[44] *Id.*
[45] *Id.*
[46] *Id.*
[47] *Id.*
[48] *Id.*
[49] *Id.*
[50] *Id.*
[51] *Id.*
[52] *Id.*
[53] *Id.* at 20886–87.
[54] *Id.* at 20887.
[55] *Id.*
[56] *Id.*
[57] *Id.*
[58] *Id.; see* GSD Rule 1, GSD Rules, *supra* note 5.
[59] *Id.* at 20887.
[60] Nasdaq Letter, *supra* note 4.
[61] *Id.* at 1.
[62] *Id.* at 1–2.

services would also increase overall transparency of trade reporting data of U.S. Treasury securities.[63] Additionally, Nasdaq believes that the proposed rule change would advance the goals articulated in the October 2017 report by the U.S. Department of the Treasury on U.S. Capital Markets[64] by reforming FICC's fee structure to make it more simple, clear, transparent, and understandable to market participants and regulators.[65]

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and rules and regulations thereunder applicable to such organization.[66] After carefully considering the proposed rule change and the comment letter received, the Commission finds that the proposed rule change is consistent with Act, specifically Sections 17A(b)(3)(D)[67] and 17A(b)(3)(F)[68] of the Act and Rule 17Ad–22(e)(23)(ii)[69] under the Act.

A. Section 17A(b)(3)(D) of the Act

Section 17A(b)(3)(D) of the Act requires that the rules of a clearing agency, such as FICC, provide for the equitable allocation of reasonable dues, fees, and other charges among its participants.[70]

As discussed above, the proposed rule change would make a number of changes to the GSD Fee Structure. Specifically, FICC would, in effect, create 4 new fees, modify 1 existing fee, and eliminate 12 fees. The proposed fee changes are designed, in part, to (i) shift the GSD Fee Structure regarding the DVP service away from a transaction or volume-driven approach to a more position-based approach, and (ii) align GSD's revenue with the approximate 30/70 split between transaction processing and position management costs, respectively. Despite the proposed changes, FICC expects GSD's net revenue to remain relatively unchanged as a result of this proposal.

The Commission believes that adding the 4 proposed fees and eliminating the 12 existing fees is equitable and reasonable because these changes are designed to apply to all Members in a manner that better aligns the fees (*i.e.,* fees associated with the DVP service as well as the minimum monthly fee) with the costs attributed to GSD's management of Members' DVP positions and account monitoring. Under the proposed changes, a Member whose DVP positions result in higher position management costs to GSD would be charged a relatively higher fee because the higher fee would be reflective of the higher costs to GSD in managing those positions. On the other hand, a Member whose DVP positions require less management by GSD would be charged a lower fee because the lower fee would be reflective of the lower costs to GSD in managing those positions. In addition, taken collectively, the proposed fee changes are designed to maintain GSD's existing revenue derived from fees associated with the DVP service.

With respect to the proposed modification to the minimum monthly fee, each account of every comparison-only Member and every netting Member would be subject to a minimum monthly fee of $2,500. This proposed fee is designed to be commensurate with the minimum costs to FICC associated with monitoring a Member's account.

Therefore, for the above reasons, the Commission believes that the proposed rule change is consistent with Section 17A(b)(3)(D) of the Act, as the proposal would provide for the equitable allocation of reasonable dues, fees, and other charges among Members.

B. Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act requires, in part, that the rules of a clearing agency, such as FICC, be designed to promote the prompt and accurate clearance and settlement of securities transactions.[71]

As described above, FICC proposes to, effectively, establish 4 new fees, modify 1 existing fee, eliminate 12 fees, and make conforming, clarifying, and technical changes to the GSD Rules. These proposed changes are designed to reduce the complexity of the GSD Fee Structure by helping to ensure that the GSD Fee Structure is more transparent and clear to Members.[72] Providing more transparent and clear terms and descriptions in the GSD Fee Structure would help Members better understand GSD's fees and provide increased predictability and certainty regarding the fees Members incur. This increased understanding, predictability, and certainty could, in turn, help Members satisfy their obligations to FICC more easily, which would help promote the prompt and accurate clearance and settlement of securities transactions.[73] Accordingly, the Commission believes that the proposed rule change is consistent with the requirements of Section 17A(b)(3)(F) of the Act.

C. Rule 17Ad–22(e)(23)(ii) Under the Act

Rule 17Ad–22(e)(23)(ii) under the Act requires each covered clearing agency[74] to establish, implement, maintain and enforce written policies and procedures reasonably designed to provide sufficient information to enable participants to identify and evaluate the risks, fees, and other material costs they incur by participating in the covered clearing agency.[75]

As described above, FICC proposes to, effectively, establish 4 new fees, modify 1 existing fee, eliminate 12 fees, and make conforming, clarifying, and technical changes to the GSD Rules. These proposed changes are designed to reduce the complexity of the GSD Fee Structure by helping to ensure that the GSD Fee Structure is more transparent and clear to Members. Having a more transparent and clear GSD Fee Structure would help Members and other stakeholders to better understand GSD's fees and help provide Members with increased predictability and certainty regarding the fees they incur in participating in GSD.[76] As such, the Commission believes that the proposed rule change is consistent with Rule 17Ad–22(e)(23)(ii) under the Act.

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposal is consistent with the requirements of the

[63] *Id.* at 2.

[64] *See* U.S. Department of the Treasury, A Financial System That Creates Economic Opportunities: Capital Markets (October 2017), *available at https://www.treasury.gov/press-center/press-releases/Documents/A-Financial-System-Capital-Markets-FINAL-FINAL.pdf.*

[65] Nasdaq Letter at 1–2.

[66] 15 U.S.C. 78s(b)(2)(C).

[67] 15 U.S.C. 78q–1(b)(3)(D).

[68] 15 U.S.C. 78q–1(b)(3)(F).

[69] 17 CFR 240.17Ad–22(e)(23)(ii).

[70] 15 U.S.C. 78q–1(b)(3)(D).

[71] 15 U.S.C. 78q-1(b)(3)(F).

[72] *See also* Nasdaq Letter at 1–2 (supporting the proposed rule change because it renders FICC's fee schedule more simple, clear, transparent, and understandable to market participants).

[73] *See also* Nasdaq Letter at 2 (arguing that FICC's efforts to simplify its fee structure would encourage more widespread central clearing among market participants).

[74] A ''covered clearing agency'' means, among other things, a clearing agency registered with the Commission under Section 17A of the Exchange Act (15 U.S.C. 78q–1 *et seq.*) that is designated systemically important by Financial Stability Oversight Council (''FSOC'') pursuant to the Clearing Supervision Act (12 U.S.C. 5461 *et seq.*). *See* 17 CFR 240.17Ad–22(a)(5)–(6). Because FICC is a registered clearing agency with the Commission that has been designated systemically important by FSOC, FICC is a covered clearing agency.

[75] 17 CFR 240.17Ad–22(e)(23)(ii).

[76] *See also* Nasdaq Letter at 1–2 (supporting the proposed rule change because it renders FICC's fee schedule more simple, clear, transparent, and understandable to market participants).

Act, in particular the requirements of Section 17A of the Act[77] and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that proposed rule change SR–FICC–2018–003 be, and hereby is, *Approved.*[78]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[79]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–12754 Filed 6–13–18; 8:45 am]

BILLING CODE 8011–01–P

[77] 15 U.S.C. 78q–1.

[78] In approving the proposed rule change, the Commission considered the proposals' impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[79] 17 CFR 200.30–3(a)(12).

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA–2017–0030]

Social Security Rulings (SSRs) 96–3p and 96–4p; Rescission of SSRs 96–3p and 96–4p

AGENCY: Social Security Administration.

ACTION: Notice of rescission of SSRs.

SUMMARY: We give notice of the rescission of SSRs 96–3p and 96–4p.

DATES: We will apply this rescission notice on June 14, 2018.

FOR FURTHER INFORMATION CONTACT: Dan O'Brien, Office of Vocational, Evaluation, and Process Policy in the Office of Disability Policy, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 597–1632. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213 or visit our internet site, Social Security Online, at *http://www.socialsecurity.gov*.

SUPPLEMENTARY INFORMATION: We use SSRs to make available to the public precedential decisions relating to the Federal old-age, survivors, disability, supplemental security income, and special veterans benefits programs. We may base SSRs on determinations or decisions made in our administrative review process, Federal court decisions, decisions of our Commissioner, opinions from our Office of the General Counsel, or other interpretations of law and regulations.

In accordance with 20 CFR 402.35(b)(1), we give notice that we are rescinding the following SSRs:

- SSR 96–3p: Titles II and XVI: Considering Allegations of Pain and Other Symptoms in Determining Whether a Medically Determinable Impairment is Severe.
- SSR 96–4p: Titles II and XVI: Symptoms, Medically Determinable Physical and Mental Impairments, and Exertional and Nonexertional Limitations.

These SSRs are unnecessarily duplicative of SSR 16–3p *Titles II and XVI: Evaluation of Symptoms in Disability Claims,* which was applicable on March 28, 2016, published in the **Federal Register** on March 16, 2016, 81 FR 14166.[1] SSR 16–3p, a more comprehensive statement of our policy on symptoms, explains how we evaluate the extent to which alleged symptoms limit an adult's ability to perform work-related activities and a child's ability to function effectively in an age-appropriate manner.

SSR 96–3p clarified how adjudicators should consider allegations of pain and other symptoms in determining whether a medically determinable impairment (MDI) is severe. SSR 16–3p explains our two-step process for evaluating an individual's symptoms where, at the first step, we determine whether the individual has an MDI that could reasonably be expected to produce the individual's alleged symptoms. At the second step, we evaluate the intensity and persistence of an individual's symptoms such as pain and determine the extent to which an individual's symptoms limit his or her ability to perform work-related activities for an adult or to function independently, appropriately, and effectively in an age-appropriate manner for a child with a title XVI disability claim. SSR 16–3p explains that we will consider symptoms and functional limitations to determine whether an impairment is severe unless the objective medical evidence alone establishes a severe MDI or combination of impairments that meets our duration requirement. Therefore, the information contained in SSR 96–3p duplicates policy in SSR 16–3p.

SSR 96–4p explained that no symptom, by itself, could establish the existence of a medically determinable physical or mental impairment. In SSR 16–3p, we clarified that an individual's symptoms alone are not enough to establish the existence of a physical or mental impairment or disability, and that we will not find an individual disabled based on alleged symptoms alone. Therefore, the information contained in SSR 96–4p duplicates policy in SSR 16–3p. Consequently, we are rescinding SSRs 96–3p and 96–4p.

(Catalog of Federal Domestic Assistance, Programs Nos. 96.001, Social Security—Disability Insurance; 96.002, Social Security— Retirement Insurance; 96.004, Social Security—Survivors Insurance; 96.006—Supplemental Security Income.)

Nancy A. Berryhill,

Acting Commissioner of Social Security.

[FR Doc. 2018–12820 Filed 6–13–18; 8:45 am]

BILLING CODE 4191–02–P

[1] On March 24, 2016, we published a correction notice in the **Federal Register** that amended and corrected the effective date of SSR 16–3p (81 FR 15776). On October 25, 2017, we published a notice of Social Security Ruling in the **Federal Register** that changes the ''effective date'' to ''applicable date'' and revises the Social Security Ruling to explain how we apply the Ruling as it relates to the applicable date (82 FR 49462).

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA–2015–0003]

Privacy Act of 1974; System of Records

AGENCY: Deputy Commissioner of Budget, Finance, and Management, Social Security Administration (SSA).

ACTION: Notice of a new system of records.

SUMMARY: In accordance with the Privacy Act, we are issuing public notice of our intent to establish a new system of records entitled, Social Security Administration Violence Evaluation and Reporting System (SSAvers) (60–0379). We are establishing SSAvers to cover information we collect about employees, contractors, and members of the public who are allegedly involved in, or witness incidents of, workplace and domestic violence.

DATES: The System of Records Notice (SORN) is applicable upon its publication in today's **Federal Register**, with the exception of the routine uses which are effective July 16, 2018. We invite public comment on the routine uses or other aspects of this SORN. In accordance with 5 U.S.C. 552a(e)(4) and (e)(11), the public is given a 30-day period in which to submit comments. Therefore, please submit any comments by July 16, 2018.

ADDRESSES: The public, Office of Management and Budget (OMB), and Congress may comment on this publication by writing to the Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, SSA, Room G–401 West High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, or through the Federal e-Rulemaking Portal at *http://www.regulations.gov,* please reference docket number SSA–2015–0003. All comments we receive will be

available for public inspection at the above address and we will post them to *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Navdeep Sarai, Government Information Specialist, Privacy Implementation Division, Office of Privacy and Disclosure, Office of the General Counsel, SSA, Room G–401 West High Rise, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, telephone: (410) 965–2997, email: *Navdeep.Sarai@ssa.gov.*

SUPPLEMENTARY INFORMATION: On April 18, 2012, the President issued the memorandum, *Establishing Policies for Addressing Domestic Violence in the Federal Workforce,* which directed the Office of Personnel Management (OPM) to issue guidance to all departments and agencies to create policy to address domestic violence, sexual assault, and stalking. Accordingly, we created the Workplace and Domestic Violence policy and program to ensure the safety of our employees. In implementing the policy and program, we collect information to record, review, investigate, and respond to allegations of workplace and domestic violence, which may include sexual assault, stalking, or other forms of violence affecting our employees and contractors.

In accordance with 5 U.S.C. 552a(r), we have provided a report to OMB and Congress on this new system of records.

Dated: May 3, 2018.

Mary Ann Zimmerman,

Acting Executive Director, Office of Privacy and Disclosure, Office of the General Counsel.

SYSTEM NAME AND NUMBER

Social Security Administration Violence Evaluation and Reporting System (SSAvers), 60–0379.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Social Security Administration, Deputy Commissioner of Budget, Finance, and Management, Office of Security and Emergency Preparedness, Office of Emergency Management, 6401 Security Boulevard, Baltimore, Maryland 21235.

SYSTEM MANAGER(S):

Social Security Administration, Deputy Commissioner of Budget, Finance, and Management, Office of Security and Emergency Preparedness, Office of Emergency Management, Workplace Violence Program Manager, 6301 Security Boulevard, 201 Supply Building, Baltimore, MD 21235, *WDV.Administrative.Inquiries@ssa.gov.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Title VII of the Civil Rights Act of 1964; Congressional Accountability Act of 1995; 29 U.S.C. 51, Occupational Safety and Health Act of 1970; 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters; 41 CFR 102–74, Subpart C, Conduct on Federal Property; 5 CFR 735, Employee Responsibilities and Conduct; 5 CFR 2635, Standards of Ethical Conduct for Employees of the Executive Branch; and various other statutes related to handling incidents of workplace and domestic violence.

PURPOSE(S) OF THE SYSTEM:

We will use the information in this system to record, review, investigate, and respond to allegations of workplace and domestic violence affecting our employees and contractors.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are involved in alleged incidents of workplace and domestic violence, who could be witnesses, alleged offenders, alleged victims, or others involved in the alleged incident or incident response. These individuals may include, but are not limited to, SSA employees, contractors, and members of the public.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system maintains information collected or generated in response to alleged incidents of workplace and domestic violence. The information may include name and contact information of individuals involved; facts and documentation related to alleged behaviors of concern, such as protective orders and alleged offender photographs; and additional documents and information related to assessing the risk of violence and the agency's response and recommendations to mitigate risks of violence.

RECORD SOURCE CATEGORIES:

We obtain information in this system from current and former employees and contractors; members of the public; other Federal, state, and local agencies; private entities; and other agency sources, such as the Identity Protection Program System, Identity Management System, and the Safety Management Information System, to help respond to allegations of workplace and domestic violence affecting our employees and contractors.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

We will disclose records pursuant to the following routine uses, however, we will not disclose any information defined as ''return or return information'' under 26 U.S.C. 6103 of the Internal Revenue Code, unless authorized by statute, the Internal Revenue Service (IRS), or IRS regulations.

1. To a congressional office in response to an inquiry from that office made on behalf of, and at the request of, the subject of the record or third party acting on the subject's behalf.

2. To the Office of the President in response to an inquiry from that office made on behalf of, and at the request of, the subject of the record or a third party acting on the subject's behalf.

3. To the National Archives and Records Administration (NARA) under 44 U.S.C. 2904 and 2906.

4. To appropriate agencies, entities, and persons when:

(a) SSA suspects or has confirmed that there has been a breach of the system of records;

(b) SSA has determined that as a result of the suspected or confirmed breach, there is a risk of harm to individuals, SSA (including its information systems, programs, and operations), the Federal Government, or national security; and

(c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connections with SSA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

5. To another Federal agency or Federal entity, when SSA determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in:

(a) Responding to a suspected or confirmed breach; or

(b) 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.

6. To officials of labor organizations recognized under 5 U.S.C. Chapter 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting conditions of employment or when representing an employee regarding a domestic or workplace violence incident.

7. To the Department of Justice (DOJ), a court or other tribunal, or another party before such court or tribunal, when:

(a) SSA, or any component thereof; or

(b) any SSA employee in his/her official capacity; or

(c) any SSA employee in his/her individual capacity where DOJ (or SSA, where it is authorized to do so) has agreed to represent the employee; or

(d) the United States or any agency thereof where SSA determines the litigation is likely to affect SSA or any of its components,

is a party to the litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, a court or other tribunal, or another party before the tribunal is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosures of the records to DOJ, court or other tribunal, or another party is a use of the information contained in the records that is compatible with the purpose for which the records were collected.

8. To Federal, State and local law enforcement agencies and private security contractors, as appropriate, information necessary:

(a) To enable them to protect the safety of SSA employees and customers, the security of the SSA workplace, the operation of SSA facilities, or

(b) to assist investigations or prosecutions with respect to activities that affect such safety and security or activities that disrupt the operations of SSA facilities.

9. To the Equal Employment Opportunity Commission (EEOC or Commission) when requested in connection with investigations into alleged or possible discriminatory practices in the Federal sector, examination of Federal affirmative employment programs, compliance by Federal agencies with the Uniform Guidelines on Employee Selection Procedures, or other functions vested in the Commission.

10. To OPM, the Merit Systems Protection Board, or the Office of Special Counsel in connection with appeals, special studies, of the civil service and other merit systems, review of rules and regulations, investigations of alleged or possible prohibited practices, and other such functions promulgated in 5 U.S.C. Chapter 12, or as may be required by law.

11. To contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We disclose information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

12. To student volunteers, individuals working under a personal services contract, and other workers who technically do not have the status of Federal employees when they are performing work for SSA, as authorized by law, and they need access to personally identifiable information (PII) in SSA records in order to perform their assigned agency functions.

13. To any agency, person, or entity in the course of an investigation to the extent necessary to obtain information pertinent to the investigation.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS IN THE SYSTEM:

We will maintain records in this system in paper and electronic form.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

We will retrieve records by the names of reporters, witnesses, alleged offenders, alleged victims, Crisis Advisory Team personnel, and management officials involved in and responding to alleged incidents of workplace and domestic violence.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

These records are currently unscheduled. We retain records in accordance with NARA-approved records schedules. In accordance with NARA rules codified at 36 CFR 1225.16, we maintain unscheduled records until NARA approves an agency-specific records schedule or publishes a corresponding General Records Schedule.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

We retain electronic and paper files with personal identifiers in secure storage areas accessible only by our authorized employees and contractors who have a need for the information when performing their official duties. Security measures include the use of codes and profiles, personal identification number and password, and personal identification verification cards. We keep paper records in locked cabinets within secure areas, with access limited to only those employees who have an official need for access in order to perform their duties.

We annually provide our employees and contractors with appropriate security awareness training that includes reminders about the need to protect PII and the criminal penalties that apply to unauthorized access to, or disclosure of, PII (*e.g.,* 5 U.S.C. 552a(i)(1)). Furthermore, employees and contractors with access to databases maintaining PII must sign a sanctions document annually, acknowledging their accountability for inappropriately accessing or disclosing such information.

RECORD ACCESS PROCEDURES:

This system of records has been exempted from the Privacy Act's access, contesting, and notification provisions as stated below. However, individuals may submit requests for information about whether this system contains a record about them by submitting a written request to the system manager at the above address, which includes their name, Social Security number (SSN), or other information that may be in this system of records that will identify them. Individuals requesting notification of, or access to, a record by mail must include (1) a notarized statement to us to verify their identity or (2) must certify in the request that they are the individual they claim to be and that they understand that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

Individuals requesting notification of, or access to, records in person must provide their name, SSN, or other information that may be in this system of records that will identify them, as well as provide an identity document, preferably with a photograph, such as a driver's license. Individuals lacking identification documents sufficient to establish their identity must certify in writing that they are the individual they claim to be and that they understand that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

These procedures are in accordance with our regulations at 20 CFR 401.40 and 401.45.

CONTESTING RECORD PROCEDURES:

Same as record access procedures. Individuals should also reasonably identify the record, specify the information they are contesting, and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate, or irrelevant. These procedures are in accordance with our regulations at 20 CFR 401.65(a).

NOTIFICATION PROCEDURES:

Same as record access procedures. These procedures are in accordance

with our regulations at 20 CFR 401.40 and 401.45.

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

This system of records has been exempted from certain provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2). Rules have been promulgated in accordance with the requirements of 5 U.S.C. 553(b), (c), and (e) and have been published in today's **Federal Register**.

HISTORY:

None.

[FR Doc. 2018–12818 Filed 6–13–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

[Public Notice 10430]

60-Day Notice of Proposed Information Collection: Iraqi Citizens and Nationals Employed by U.S. Federal Contractors and Grantees

ACTION: Notice of request for public comment.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department will accept comments from the public up to August 13, 2018.

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

- *Web:* Persons with access to the internet may comment on this notice by going to *www.Regulations.gov*. You can search for the document by entering ''Docket Number: DOS–2018–0019'' in the Search field. Then click the ''Comment Now'' button and complete the comment form.
- *Email: riveralp@state.gov*.
- *Regular Mail:* Send written comments to: Lea Rivera, PRM/Admissions, 2025 E Street NW, SA–9, 8th Floor, Washington, DC 20522–0908.
- *Fax:* 202–453–9393.

You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

FOR FURTHER INFORMATION CONTACT: Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Lea Rivera, PRM/Admissions, 2025 E Street NW, SA–9, 8th Floor, Washington, DC 20522–0908, who may be reached on 202–453–9255 or at *riveralp@state.gov*.

SUPPLEMENTARY INFORMATION:

- *Title of Information Collection:* Iraqi Citizens and Nationals Employed by Federal Contractors and Grantees.
- *OMB Control Number:* 1405–0184.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* PRM/A.
- *Form Number:* DS–7655.
- *Respondents:* Refugee applicants for the U.S. Refugee Admissions Program.
- *Estimated Number of Respondents:* 50 Department of State contractors, grantees and cooperative agreement partners.
- *Estimated Number of Responses:* 200.
- *Average Time per Response:* 30 minutes.
- *Total Estimated Burden Time:* 100 hours.
- *Frequency:* On occasion.
- *Obligation to Respond:* Required to Obtain or Retain a Benefit.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.
- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of Proposed Collection

The information requested will be used to verify the employment of Iraqi citizens and nationals for the processing and adjudication of other refugee, asylum, special immigrant visa, and other immigration claims and applications.

Methodology

The method for the collection of information will be via electronic submission. The format for compiling the information will be the Department of State's myData application. Contracting officers and Grants officers will distribute the DS–7655 by email to contractors, grantees and cooperative agreement partners under their authority. Respondents complete the form, and email it to their Contracting Officers or Grant Officers.

Kelly Gauger,

Acting Director, Office of Admissions, Bureau of Population, Refugees and Migration, Department of State.

[FR Doc. 2018–12723 Filed 6–13–18; 8:45 am]

BILLING CODE 4710–33–P

SURFACE TRANSPORTATION BOARD

[Docket No. EP 748]

Indexing the Annual Operating Revenues of Railroads

The Surface Transportation Board (STB) is publishing the annual inflation-adjusted index factors for 2017. These factors are used by the railroads to adjust their gross annual operating revenues for classification purposes. This indexing methodology ensures that railroads are classified based on real business expansion and not on the effects of inflation. Classification is important because it determines the extent to which individual railroads must comply with STB reporting requirements.

The STB's annual inflation-adjusted factors are based on the annual average Railroad Freight Price Index developed by the Bureau of Labor Statistics. The STB's deflator factor is used to deflate revenues for comparison with established revenue thresholds.

The base year for railroads is 1991. The inflation index factors are presented as follows:

STB Railroad Inflation-Adjusted Index and Deflator Factor Table

Year	Index	Deflator
1991	409.50	[1] 100.00
1992	411.80	99.45
1993	415.50	98.55
1994	418.80	97.70
1995	418.17	97.85
1996	417.46	98.02
1997	419.67	97.50
1998	424.54	96.38
1999	423.01	96.72
2000	428.64	95.45
2001	436.48	93.73
2002	445.03	91.92
2003	454.33	90.03
2004	473.41	86.40
2005	522.41	78.29

STB RAILROAD INFLATION-ADJUSTED INDEX AND DEFLATOR FACTOR TABLE—Continued

Year	Index	Deflator
2006	567.34	72.09
2007	588.30	69.52
2008	656.78	62.28
2009	619.73	66.00
2010	652.29	62.71
2011	708.80	57.71
2012	740.61	55.23
2013	764.19	53.53
2014	778.41	52.55
2015	749.22	54.60
2016	732.38	55.85
2017	758.95	53.90

[1] In *Montana Rail Link, Inc., & Wisconsin Central Ltd., Joint Petition for Rulemaking with Respect to 49 CFR part 1201,* 8 I.C.C.2d 625 (1992), the Board's predecessor, the Interstate Commerce Commission, raised the revenue classification level for Class I railroads from $50 million (1978 dollars) to $250 million (1991 dollars), effective for the reporting year beginning January 1, 1992. The Class II threshold was also raised from $10 million (1978 dollars) to $20 million (1991 dollars).

Application of the annual deflator factors results in the following annual revenue thresholds:

RAILROAD REVENUE THRESHOLDS

Year	Factor	Class I	Class II
2013	0.5353	467,063,129	37,365,050
2014	0.5255	475,754,803	38,060,384
2015	0.5460	457,913,998	36,633,120
2016	0.5585	447,621,226	35,809,698
2017	0.5390	463,860,933	37,108,875

Board decisions and notices are available on our website at *WWW.STB.GOV.*

Applicable Date: January 1, 2017.

For Further Information Contact: Pedro Ramirez, (202) 245–0333. [Federal Information Relay Service (FIRS) for the hearing impaired: 1–800–877–8339].

Decided: June 8, 2018.

By the Board, William Brennan, Acting Director, Office of Economics.

Jeffrey Herzig,

Clearance Clerk.

[FR Doc. 2018–12759 Filed 6–13–18; 8:45 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Request To Release Airport Property

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Intent to Rule on Request to Release Airport Property at the Curtis Municipal Airport (47V), Curtis, Nebraska.

SUMMARY: The FAA proposes to rule and invites public comment on the release of land at the Curtis Municipal Airport, Curtis, Nebraska.

DATES: Comments must be received on or before July 16, 2018.

ADDRESSES: Comments on this application may be mailed or delivered to the FAA at the following address: Lynn D. Martin, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE–610C, 901 Locust, Room 364, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Mr. Douglas Schultz, City Clerk, P.O. Box 6, Curtis, NE 69025–0006 (308) 367–4122.

FOR FURTHER INFORMATION CONTACT: Lynn D. Martin, Airports Compliance Specialist, Federal Aviation Administration, Airports Division, ACE–610C, 901 Locust, Room 364, Kansas City, MO 64106, (816) 329–2644, *lynn.martin@faa.gov.*

The request to release property may be reviewed, by appointment, in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA invites public comment on the request to release approximately 0.81 ± acres of airport property at the Curtis Municipal Airport (47V) under the provisions of 49 U.S.C. 47107(h)(2). On April 30, 2018, Mr. Schultz, the City Clerk of Curtis, NE requested from the FAA that approximately 0.81± acres of airport property be released for sale to the City of Curtis for them to sell to the Welch Seed LLC for a portion of their agricultural seed sales business. On June 7, 2018, the FAA determined that the request to release property at the Curtis Municipal Airport (47V) submitted by the Sponsor meets the procedural requirements of the Federal Aviation Administration and the release of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice.

The following is a brief overview of the request:

The Curtis Municipal Airport (47V) is proposing the release of airport property totaling 0.81 acres, more or less. This land is to be used for a portion of an agricultural seed sales business. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The sale of the subject property will result in the land at the Curtis Municipal Airport (47V) being changed from aeronautical to non-aeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation facilities at the Curtis Municipal Airport.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon appointment and request, inspect the application, notice and other documents determined by the FAA to be related to the application in person at the Curtis Municipal Airport.

Issued in Kansas City, MO, on June 7, 2018.

Jim A. Johnson,

Director, Airports Division.

[FR Doc. 2018–12814 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Pilot Schools—FAR 141

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collection involves the submission of FAA Form 8420–8, which is used as the base document to initiate and/or confirm the status of the schools' eligibility to hold an FAA Form 8000–4, Air Agency Certificate.

DATES: Written comments should be submitted by August 13, 2018.

ADDRESSES: Send comments to the FAA at the following address: Barbara Hall, Federal Aviation Administration, ASP–110, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a)

Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA 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: Barbara Hall by email at: *Barbara.L.Hall@faa.gov;* phone: 940–594–5913.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0009.

Title: Pilot Schools—FAR 141.

Form Numbers: 8420–8.

Type of Review: This is a renewal of an existing information collection.

Background: The FAA is publishing the final rule Regulatory Relief, Aviation Training devices; Pilot Certification, Training, and Pilot Schools; and Other Provisions (RIN 2120–AK28; Docket No. FAA–2016–6142). In that rule, the FAA is amending § 141.5(d) to allow part 141 pilot schools that hold training course approvals for special curricula courses to renew their certificates based on their students' successful completion of an end-of-course test for these FAA approved courses. In that rule, the FAA further adjusts the number of pilot schools based on population changes, and to account for the change in burden associated with these new courses.

We estimate that of the 31 new applications for pilot school certificates, 25% will have special curricula courses that will need to be accounted for in the passage rate required for issuance of a certificate in § 141.5(d). Of the 291 applications for renewal of pilot school certificates, approximately 25% would include special curricula courses that must now be accounted for in the passage rate for renewal of a certificate under § 141.5(d). We estimate that it would take .1 hours to add this special curricula course information to both initial and renewal applications.

8 new applications at .1 hours each = .8 hours.

73 applications at .1 hours each (adding special curr.) = 7.3 hours.

171.0 hours + 8.1 hours = 181.6 total burden hours.

The FAA is also making a burden adjustment to the number of pilot schools, increasing the population from 546 pilot schools to 581 pilot schools.

Respondents: 581 Pilot schools.

Frequency: As needed for new applications; Every 24 months for renewals of existing pilot schools.

Estimated Average Burden per Response: 0.5 hours, + 0.1 hours for special curriculum course information (when applicable).

Estimated Total Annual Burden: 31,639.6 total burden hours. 2,589.6 total annual reporting burden hours, and 29,050 total annual recordkeeping burden hours.

Issued in Washington, DC, on May 30, 2018.

Barbara L. Hall,

FAA Information Collection Clearance Officer, Performance, Policy, and Records Management Branch, ASP–110.

[FR Doc. 2018–12797 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Certification: Pilots, Flight Instructors, and Ground Instructors

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The revision of this collection involves the logging of training time in aviation training devices under the provisions of current regulations, and the logging of flight time as a second in command (SIC) under the provisions of current regulations.

DATES: Written comments should be submitted by August 13, 2018.

ADDRESSES: Send comments to the FAA at the following address: Barbara Hall, Federal Aviation Administration, ASP–110, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA 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: Barbara Hall by email at: *Barbara.L.Hall@faa.gov;* phone: 940–594–5913.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0021.

Title: Certification: Pilots and Flight Instructors.

Form Numbers: 8710–1, 8710–13.

Type of Review: This is a revision of an existing information collection.

Background: The FAA is publishing the final rule Regulatory Relief, Aviation Training devices; Pilot Certification, Training, and Pilot Schools; and Other Provisions (RIN 2120–AK28; Docket No. FAA–2016–6142). In that rule, the FAA is reducing the burden for instrument currency requirements under § 61.57 for those pilots that use aviation training devices. Prior to that final rule, § 61.57(c)(3) required persons using an aviation training device to establish instrument experience to complete the required tasks within the preceding 2 calendar months. Persons using an aircraft, full flight simulator, flight-training device, or a combination, however, were required to establish instrument experience within the preceding 6 calendar months. 14 CFR 61.57(c)(1)–(2). The final rule amends § 61.57(c) to allow pilots to accomplish instrument experience in aviation training devices by performing the same tasks required for flight simulation training devices and aircraft, and at the same 6-month interval allowed for flight simulation training devices and aircraft.

The FAA estimates that, of the 102,811 active pilots with an instrument rating, that approximately 50% are maintaining currency. It is likely that only 15% of those pilots (approximately 15,422 pilots) are using an aviation training device exclusively to maintain their instrument currency. For those pilots, this change will reduce the recordkeeping requirements of logging time from 6 times a year to two times a year, when logging instrument currency exclusively in an aviation training device. The FAA estimates this burden reduction to be 6168.8 hours annually.

Additionally, the final rule amends § 135.99 by adding paragraph (c) to allow a certificate holder to receive approval of a second in command (SIC) professional development program (SIC PDP) via operations specifications (Ops Specs) to allow the certificate holder's pilots to log SIC time in operations conducted under part 135 in an airplane or operation that does not otherwise require a SIC. Specifically, with this

final rule, § 61.159(c) allows pilots to log SIC time in part 135 operations in a single engine turbine-powered airplane or a multi-engine airplane that otherwise does not require an SIC. This will require the pilot to obtain a logbook endorsement from the pilot in command for each individual flight to log this time as SIC. The FAA estimates that of the 76,957 Commercial Pilots with airplane and instrument privileges that approximately 10% (7,696) may actively pursue a SIC position with a Part 135 operator that is approved for logging SIC time as described for this provision. But, because of the limited number of operators (approximately 457 operators as of September 28, 2017) that would qualify or actually pursue this authorization, the FAA estimates that only 15% (1,154 pilots) might actually become qualified annually to log SIC time under this provision. This additional record keeping requirement will be reflected in Section 61.159, Aeronautical experience. The FAA estimates this SIC training program burden increase is 1,154 hours annually.

Respondents: The total number of respondents in the airman certification program is estimated to be approximately 25 percent of the population of active certificated pilots and instructors. Given a population of 825,000, the result is approximately 206,250 respondents providing data on an annual basis. The total number of applicants for a remote pilot certificate with a small UAS rating is estimated to be 39,229 annually.

Frequency: As needed.

Estimated Average Burden per Response: For the hour burdens resulting from the application requirements of the collection of information other than remote pilots with small UAS ratings, the FAA estimates that forms are submitted for these certificates and ratings at an average preparation time of 15 minutes (0.25 hrs) each. The average time estimate of 0.25 hours assumes that many individual applicants will submit an 8710–1 form more than once for various reasons, and that most of the information provided on the form likely will not have changed. For Part 107 we estimate that an average of 39,229 forms are submitted annually that require an average preparation time of 0.25 hours to complete.

Estimated Total Annual Burden: The total number of annual responses for the airman certification program is estimated to be 1,196,653. The FAA estimates the total reporting burden hours to be 43,157 hours. The FAA estimates the total recordkeeping burden hours to be 282,329 hours. The FAA estimates the burden for the collection of information to be 325,486 hours annually. This is a burden reduction of 5,015 annual burden hours from the currently approved information collection.

Issued in Washington, DC, on May 30, 2018.

Barbara L. Hall,

FAA Information Collection Clearance Officer, Performance, Policy, and Records Management Branch, ASP–110.

[FR Doc. 2018–12796 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of a Revision to an Approval of an Existing Information Collection: Operating Requirements: Commuter and On-Demand Operation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The revision of this collection involves the amendment of current regulations, which allows a certificate holder's pilots to log second-in-command (SIC) time in operations conducted under part 135 in an airplane or operation that does not otherwise require a SIC. This revision also removes the burden for initial certification under current regulations, as that is already counted under ICR 2120–0593 (Part 119).

DATES: Written comments should be submitted by August 13, 2018.

ADDRESSES: Send comments to the FAA at the following address: Barbara Hall, Federal Aviation Administration, ASP–110, 10101 Hillwood Parkway, Fort Worth, TX 76177.

Public Comments Invited: You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA 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: Barbara Hall by email at: *Barbara.L.Hall@faa.gov;* phone: 940–594–5913.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 2120–0039.

Title: Operating Requirements: Commuter and On-Demand Operation.

Form Numbers: N/A.

Type of Review: This is a revision of an existing information collection.

Background: The FAA is publishing the final rule Regulatory Relief, Aviation Training devices; Pilot Certification, Training, and Pilot Schools; and Other Provisions (RIN 2120–AK28; Docket No. FAA–2016–6142). In that rule, the FAA is amending § 135.99 by adding paragraph (c) to allow a certificate holder to receive approval of a second-in-command (SIC) professional development program (SIC PDP) via operations specifications (Ops Specs) to allow the certificate holder's pilots to log SIC time in operations conducted under part 135 in an airplane or operation that does not otherwise require a SIC. As explained in the rule, the FAA believes that a comprehensive SIC PDP will provide opportunities for beneficial flight experience that may not otherwise exist and also provide increased safety in operations for those flights conducted in a multicrew environment. The FAA is establishing requirements in § 135.99(c) for certificate holders, airplanes, and flightcrew members during operations conducted under an approved SIC PDP. Those changes are reflected in this information collection.

The FAA is also changing certain logging requirements to enable the logging of SIC time obtained under a SIC PDP. Those changes are reflected in a revision to information collection 2120–0021.

Respondents: Operators who currently possess an FAA approved PIC or SIC training program could revise and utilize those existing programs to qualify their pilots seeking approval to log SIC time. Those operators that do not already possess an approved PIC/SIC training program (that must include crew resource management training) would be required to submit a proposed new SIC training program for FAA approval. This would be amending an existing part 119 certificate. As of September 28, 2017 the FAA estimates that there were approximately 457 part 135 operators with single engine turbine-powered airplanes or multiengine airplanes that would

qualify or actually pursue the authorization to conduct a SIC professional development program.

The FAA estimates that approximately 20 operators would be required to submit a newly developed SIC Professional Development Training Program for approval in the first year that the program is available. The FAA estimates that 50 operators will request an amendment to their existing PIC/SIC training program. This time burden is reflected in § 135.325, Training program and revision.

Frequency: As needed.

Estimated Average Burden per Response: Section 135.99(c) permits a certificate holder to seek approval of an SIC professional development program via issuance of operations specifications (Ops Specs) to allow the certificate holder's pilots to log SIC time. Under an approved SIC professional development program, pilots may log SIC time in part 135 operations conducted in multiengine airplanes and single engine turbine-powered airplanes that do not otherwise require an SIC, if those pilots: (1) Meet certification, training, and qualification requirements for pilots in part 135 operations, and (2) serve under the supervision of a part 135 PIC who meets certain experience requirements.

The FAA estimates that 20 operators will take approximately 40 hours each to develop and submit an acceptable new SIC training program. This program change will result in a burden increase of 800 hours in the first year of information collection only.

The FAA estimates that 50 operators will take approximately 20 hours each to revise and submit an acceptable SIC training program. This program change will result in a burden increase of 1000 hours.

The new or revised SIC training program will result in a burden of 1800 total hours in the first year of information collection.

In addition, the FAA has revised the burden in section 135.325 to remove the calculation of the burden for new applicants (for initial approval of training programs); this burden should not be reflected in this collection as it is already addressed in a previously approved collection (2120–0593 Certification: Air Carriers and Commercial Operators—FAR Part 119). This change is necessary to avoid double-counting the burden.

Estimated Total Annual Burden: The overall burden for part 135 was previously estimated at 1,154,674 hours. With the removal of the initial certification burden already accounted for in the part 119 statement, addition of the SIC training program development and approval burden, the total new annual reduced burden estimate is 1,146,938.6 hours. This is a reduction of 7,735.4 hours from the previous estimate.

Issued in Washington, DC, on May 30, 2018.

Barbara L. Hall,

FAA Information Collection Clearance Officer, Performance, Policy, and Records Management Branch, ASP–110.

[FR Doc. 2018–12798 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

[DOT–OST–2018–0081]

Solving for Safety Visualization Challenge Solver Solicitation

AGENCY: Bureau of Transportation Statistics, Office of the Secretary of Transportation, DOT.

ACTION: Notice.

SUMMARY: The U.S. Department of Transportation (USDOT) is launching the Solving for Safety Visualization Challenge to incentivize the use of safety data in the development of innovative analytical visualization tools that will reveal insights into serious crashes and improve understanding of transportation safety. The Challenge serves as a platform to capture the imaginations of technology and data firms, transportation stakeholders, and state and local agencies to unlock their creativity, and empower them to develop innovative new data visualization tools that can help improve road and rail user safety, to benefit all transportation users.

The Challenge is open to individuals and teams (Solvers) from the business and research communities, including technology companies, analytics firms, transportation carriers, industry associations, research institutions, universities, mapping and visualization providers. Solvers will compete for cash prizes that will be awarded throughout the multi-stage Challenge. The Challenge prize purse is $350,000, with four semi-finalists competing for a portion of the $100,000 interim prize and two final-stage Solvers competing for a portion of the $250,000 final prize.

DATES: The Challenge will begin on June 14, 2018. After the launch, USDOT will accept Stage I submissions up to 11:59 p.m. EDT on July 31, 2018. A panel of judges will review team submissions and announce Stage I finalists in August 2018.

FOR FURTHER INFORMATION CONTACT: For more information, and to register your intent to compete individually or as part of a team, visit *www.transportation.gov/Solve4Safety,* email *Solve4Safety@dot.gov* or contact Ed Strocko at 202–366–8189.

SUPPLEMENTARY INFORMATION:

Problem

In 2017, motor vehicle traffic crashes resulted in an estimated 37,150 fatalities.[1] Comprehensively, crashes are a societal harm that cost the Nation over $800 billion annually in lives lost or injured, as well as lost work productivity and property damage.[2] When the cost of serious crashes is put into context, the weight of this issue becomes much more grave and the need for an innovative, non-traditional approach becomes apparent. Safety is USDOT's number one priority, and we are committed to reducing the incidence of serious and fatal injuries on our roadways.

The USDOT's transportation safety programs have decades of research and design behind them and have proven effective in reducing injuries and fatalities by 40% between 1990 and 2011. In recent years, these advances have leveled off, and new insights and strategies are required to make further advances.

Traditional factors do not fully explain the causes of the recent significant increase in traffic fatalities. Increases in driving are one factor; however, the rate of fatalities per 100 million vehicle miles traveled (VMT) also increased from 1.08 fatalities per 100 million VMT in 2014 to an estimated 1.17 in 2017.[1] Economic conditions, gasoline prices, weather and other factors are also correlated with increased traffic fatalities.

USDOT seeks to reverse the current trend, rapidly detect changes that indicate unsafe conditions, and reduce transportation-related fatalities and serious injuries across the transportation system. The Department is pursuing data-informed decision-making to help strategically prioritize and address transportation safety risks. One pillar of this approach is data visualization. USDOT seeks clear, compelling data visualization tools that make data analysis and insights accessible to policy-makers, transportation providers and the public who make safety choices every day.

[1] *https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812542.*

[2] *https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812451.*

Challenge

Currently transportation decision makers have a limited number of analytical visualization tools available that reveal insights, and even fewer focused on safety and prevention of serious crashes. A new opportunity lies in the rapid growth and advancement in technology and analytics markets combined with the volume and variety of transportation and other data now collected by the public and private sectors.

For this reason, Solving for Safety Visualization Challenge is looking for the best innovators from the business and research communities, including technology companies, analytics firms, transportation carriers, industry associations, research institutions, universities, mapping and visualization providers, to tackle this challenge. Analytical visualization tools can cast new light on the data to reveal insights not seen though tabular analysis. The Challenge has been created to advance the use of safety data visualizations for answering analytical questions related to surface transportation system safety.

In this challenge, Solvers will compete for cash prizes by developing innovative analytical visualization tools to gain insights into fatalities and serious injuries on the U.S. road and rail systems that policymakers, providers, and operators can use to inform the development of safety solutions.

Challenge Solvers will choose to develop one of two types of analytical visualization tools:

Discover Insights Tools which analyze data to reveal patterns and trends, and use compelling visualizations to explain what is happening, understand the meaning behind the data, and draw conclusions. These tools often combine disparate data sets and allow a user to ask a question and search for answers visually.

Simulation Tools which assist in decision-making by visualizing data, mathematical, and statistical models to identify issues, determine correlations, and assign probabilities with a degree of accuracy. Developed using existing models and data, including those provided by USDOT and Innovation Agents, this type of tool will allow users to visualize the outputs of model simulations and scenarios, highlighting the different conditions and the results of sensitivity and parametric analysis to visually assist in decision-making.

USDOT is looking for Solvers to bring novel concepts and perspectives to existing models and data to develop analytical visualization tools that provide life-saving insights and solutions for transportation safety. Solvers should use innovation and creativity to further define the tools. Tools can range from dashboards using disparate data sets, to spatial analysis via maps, virtual or augmented reality scenarios, image and image analysis, social media mining and beyond. The tools can be powered by models and data provided by USDOT, Challenge Innovation Agents and/or resources to which Solvers have access to through their organizations, partners, and other sources. See *www.transportation.gov/solve4safety* for a sample list of datasets and tools.

Challenge Solvers will develop analytical visualization tools to complement existing USDOT projects while addressing one or more of the following safety focus areas:

1. *Vulnerable System Users*—these include non-motorized road users, such as pedestrians and cyclists, as well as motorcyclists and persons with disabilities or reduced mobility and orientation, such as those with declining vision and hearing. Ongoing work at USDOT has identified those who are more at risk on the road system, but beyond the police reports and behavior research, pieces of the story that can improve how we protect these users are still missing. Example questions Solvers might address:

- Between 2013 and 2016 there was a 25-percent increase in pedestrians killed in traffic crashes.[3] A disproportionate share of these pedestrian fatalities involved males, occurred in urban locations, and took place after dark. How can data visualization tools support decision-makers in learning from the relationships among various contributory crash risk factors that are specific to their communities?
- A Crash Modification Factor (CMF) is a multiplicative factor that indicates the proportion of crashes that would be expected after implementing a countermeasure. Examples of countermeasures include installing a traffic signal, increasing the width of road edge lines, and installing a median barrier. We have proven that different countermeasures work, and we know the CMFs for each countermeasure, but how could we help decision makers choose among appropriate countermeasures?

2. *Conflict Points Impacts*—these are locations where user paths intersect, including road intersections and rail grade crossings. Conflict points are categorized as crossing, merging (or joining) and diverging (or separating). We're investigating which conflict points correlate most with motor vehicle crashes, but we don't fully understand the difference between near-misses and impacts at these points. Example questions Solvers might address:

- Much of the nation is built around the railroad system. By developing around this infrastructure, we have unintentionally created conflict points that users are drawn to, often putting communities at greatest risk. How can data visualization tools better support urban planners identifying which grade crossings are more prone to accidents and the best risk reduction strategies to employ?
- In the United States, over the last several years an average of one-quarter of traffic fatalities and roughly half of all traffic injuries are attributed to intersections.[4] Strategies to address roadway intersection safety are diverse: They are often engineering-based, including geometric design and application of traffic control devices (such as signs, markings and signals) and with a foundation in human factors. Quite often, it is a combination of these strategies that is needed to truly solve a problem. How can we visually compare the safety impacts of traditional signals, roundabouts, and protected left turns?

3. *High Risk Factors*—these include young drivers, impaired drivers, drowsy drivers, older drivers, and speeding drivers. We've identified high risk factors, but we don't have complete insights on the role of spatial and temporal exposures. Example questions Solvers might address:

- There is a misalignment between human behavior and judgment, and roadway and vehicle design. New, young drivers have a higher crash risk than any other age group. How can data visualization tools support and educate people to improve their driving behaviors?
- In 2015, alcohol-impaired driving fatalities accounted for 29 percent of the total motor vehicle traffic fatalities. How can data visualization tools support first responders' on-site interventions?

Challenge Solvers will also focus their analytical visualization tools by designing them for use by one of the following audiences:

Policy makers and influencers—these are people in Federal, State, and local government agencies, associations, and industry bodies. They attempt to reduce transportation-related fatalities and serious injuries by analyzing safety data to identify safety risks and recommending a series of strategies, incentives or disincentives using personnel, funding, or laws and regulations to address them.

Providers/Operators—these are people in business and government who build and operate the transportation system. These include vehicle and equipment manufacturers, trucking and rail companies, state and local departments of transportation, law enforcement, and emergency services. They attempt to influence the reduction of transportation-related fatalities and serious injuries by analyzing safety data and designing equipment and facilities, performing system diagnostics, evaluating safety effectiveness, and developing operations, countermeasures and techniques to reduce fatalities and serious injuries for users of the transportation system.

Public—these are people who use the transportation system or live in the United States. These include motor vehicle drivers, motor vehicle passengers, bicyclists and pedestrians. They have an interest in protecting themselves and others in the community who use the transportation system.

All ideas will compete against the full pool of entries regardless of the type of

[3] *https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812246.*

[4] *https://safety.fhwa.dot.gov/intersection/.*

tool, safety focus area or audience being proposed.

The Challenge invites creative minds from across the Nation to reveal these missing links. The business and research communities have the unique set of skills and creativity to step up and revolutionize transportation safety. The transportation safety community has welcomed innovation, but will benefit further from the perspective and skills of other subject areas. To foster new, novel, and innovative analytical visualization tools, USDOT is looking for Solvers and data from a variety of sectors. The USDOT encourages the participation of Solvers from outside the traditional transportation safety arena who will bring innovative methods, procedures, techniques, and strategies when developing solutions. The USDOT also has an interest in stimulating the integration of new or private sector data sources into the Solvers' analytical visualization tools.

The USDOT Solving for Safety Visualization Challenge can act as an engine in driving serious crash reduction. By incentivizing innovation, USDOT will attract the best Solvers from around the nation to come up with new tools for visualizing the risks of serious crashes. As with other government competitions, the USDOT Solving for Safety Visualization Challenge aims to create a vibrant community of thinkers and doers who drive revolutionary innovation.

Technology has already changed how most of us get around. Let's leverage it to change how we view transportation safety.

Stages and Prizes

The Challenge consists of three stages. Individuals/teams (Solvers) will compete for an overall prize purse of $350,000. Four semi-finalists will compete for a portion of the $100,000 interim prize and two final stage Solvers will compete for a portion of the $250,000 final prize.

Stage I, Ideations: In Stage I, all Solvers participating in the Challenge will develop ideas for an analytical visualization tool. Four Stage I semi-finalists will be invited to Stage II as semi-finalists to develop their ideations into proofs of concept and compete for a cash prize. If a selectee declines to participate in the next stage, an alternate may be selected.

Stage II, Concepts: In Stage II, the four semi-finalists from Stage I will develop their ideations into proofs of concept (*i.e.,* detailed system designs and prototypes) for an analytical visualization tool. The four semi-finalists will compete for part of a $100,000 prize purse for their proofs of concept. Based on review of the Stage II submissions by the judges, two of the four semi-finalists will also advance to Stage III as finalists. An additional semi-finalist may also receive an honorable mention, but not advance to Stage III. If a selectee declines to participate in the next stage, an alternate may be selected.

•*Stage III, Tools:* In Stage III, the two finalists from Stage II will further develop their proofs of concept into full working analytical visualization tools. The two finalists will compete for a $250,000 prize purse, with each receiving a minimum of $50,000. The Stage III prize purse will be awarded to the winners based on the judges' review of the Stage III submissions.

Eligible Challenge Participants

Eligible Solvers are individuals or teams from the business and research communities in the United States or US territory. This includes but is not limited to organizations such as: technology companies, analytics firms, transportation carriers, industry associations, research institutions, universities, mapping and visualization providers. Teams are encouraged to organize themselves in a manner that best fits meeting the Challenge.

Challenge Authority

USDOT will be carrying out this challenge prize competition under the authority of 15 U.S.C. 3719.

Challenge Innovation Agents

Challenge Innovation Agents are companies and organizations interested in providing real-world knowledge, guidance, insight, issues, and data to Solvers, especially those new to the transportation safety space. USDOT will provide a public listing of all organizations and companies who identify as Challenge Innovation Agents. This listing will provide a brief description and contact information for each Innovation Agent to assist Solvers that are interested in talking to or partnering with Innovation Agents for the Challenge. USDOT will list two types of Challenge Innovation Agents: Technical Assistance and Data.

Technical Assistance (T.A.) Innovation Agents can provide interested Solvers with knowledge, guidance, insight and issues related to transportation safety. T.A. Innovation Agents may be able to provide technical assistance related to key safety issues impacting their members or employees, transportation safety techniques, transportation system characteristics, users and operations, approaches from other industries and sectors.

Data Innovation Agents can provide interested Solvers with access to data or analytic techniques that can be used in the analytical visualization tools. Use of a wide variety of disparate data is encouraged to gain insights into reducing fatalities and serious injuries on the U.S. road and rail systems.

Challenge Innovation Agents will have the opportunity to explain their expertise and capacity to interested Solvers who will be designing tools that can prove useful in furthering the Innovation Agents or other user's efforts to reduce fatalities and serious injuries. Innovation Agents providing data access will benefit from national recognition and highlight of their data asset, and the exploration and testing of their data by Solvers for use by the transportation safety community.

Solvers are encouraged to seek support from Innovation Agents to strengthen their individual/team expertise. Innovation Agents may register their support throughout the Challenge by signing up at *www.transportation.gov/Solve4Safety.* A list of current Innovation Agents will be updated on the official Challenge website. The Challenge will host a webinar to facilitate Solver-Innovation Agent relationship building.

Eligibility Rules for Participating in the Competition

To be eligible to win a prize under this Challenge, an individual or entity—

(1) Shall register to participate in the Competition under the rules promulgated by the USDOT Bureau of Transportation Statistics;

(2) Shall comply with all the requirements under this announcement and any subsequently announced rules for the competition;

(3) In the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States or US territory, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States or US territory;

(4) Shall not be a USDOT employee; and

(5) Shall not be another federal entity or federal employee acting within the scope of their employment (all non-USDOT federal employees must consult with their agency Ethics Official to determine whether the federal ethics rules will limit or prohibit the acceptance of a cash prize stemming from a federally sponsored prize competition);

In addition, these two restrictions apply to recipients of other federal funds:

(1) Federal grantees may not use federal funds to develop submissions unless consistent with the purpose of their grant award; and

(2) Federal contractors may not use federal funds from a contract to develop prize competition applications or to

fund efforts in support of a prize competition submission;

An individual or entity shall not be deemed ineligible because the individual or entity used federal facilities or consulted with federal employees or USDOT Challenge Innovation Agents during a competition if the facilities and employees are made available to all individuals and entities participating in the competition on an equitable basis.

Participants must also agree to assume all risks and waive claims against the federal government and its related entities, except in the case of willful misconduct, for any injury, death, damage, or loss of property, revenue, or profits, whether direct, indirect, or consequential, arising from my participation in this prize competition, whether the injury, death, damage, or loss arises through negligence or otherwise.

Participants must also agree to indemnify the Federal Government against third party claims for damages arising from or related to Challenge activities.

If any potential finalist is found to be ineligible, has not complied with the Official Rules, Terms and Conditions, or declines the cash prize for any reason prior to award, an alternate finalist may be selected. If any potential winner is found to be ineligible, has not complied with the Official Rules, Terms & Conditions, or declines the cash prize for any reason prior to award, an alternate winner may be selected. Please refer to the Official Rules, Terms & Conditions for further details.

Cash prizes awarded under this challenge will be paid to the individual or Team Lead directly by USDOT through electronic funds transfer. Finalists and winner(s) will be responsible for any applicable local, state, and federal taxes and reporting that may be required under applicable tax laws.

Solution Submission Materials

Stage I, Ideation

To be eligible to win a prize under this stage, an individual or entity must submit:

1. *A cover page with the following information:*

- Team name, participant names, organization (s), and primary point of contact
- Challenge tracks they are solving for:
- Tools:
  - Discover Insights Tool
  - Simulation Tool
- Safety Focus Areas:
  - Vulnerable System Users
  - Conflict Points
  - High Risk Factors
- Tool End-User:
  - Policymakers
  - Providers/Operators
  - Public
- Submission title. Proposed name for your concept.
- Submission description. What is the headline for your idea? Briefly describe your idea, concept and approach. (15 words)

2. Written Summary of the Solution Idea

This includes a detailed description of the proposed solution idea. Summary should discuss in detail the functionality and capabilities of the analytical visualization tool. The Solver must describe, in a high level of technical detail, how the proposed solution will meet each of the Solution Requirements and the Judging Criteria for this stage. The Summary must not exceed the character length of the online submission form. The Solver should understand that their submittal will be reviewed by technical experts in transportation safety analysis, data, IT and visualization. If the level of detail is deemed insufficient by the experts, the proposed solution will not be regarded as feasible.

All written work shall be phrased in layperson English language. Geospatial, visualization, statistical and technical terminology, including program coding language, shall not be used without providing an explanation of terms.

Solvers should respond to the judging criteria specified in the Judging Criteria Section.

3. Information on Qualifications of Your Team

Please include a résumé or bio of key individual(s) who would be responsible for developing the idea into a proof of concept with a detailed system design and prototype.

If you plan to work with a Technical Assistance or Data Innovation Agent, please indicate which Innovation Agent(s) you are or will be working with and their role in tool development.

4. Appendices

(a) Video of Submission Idea

- Provide a link to a 30 second video of solution idea.

(b) Additional Assets

- If available, upload or link to additional research abstracts, presentations, data visualizations, or other supporting visual information that may help us better understand your concept. Accepted upload file formats include: .ppt, .pptx, .doc, .docx, .pdf, .jpg, .png (50 MB max).

Note: *Stage II and Stage III descriptions are preliminary and will be developed further. Additional details and submission requirements for Stage II and Stage III will be provided to Solvers advancing to these stages and posted on the Challenge website.*

Stage II, Concepts

To be eligible to win a prize under this stage, an individual or entity must be invited to submit a proof of concept with a detailed system design and prototype. Applicants must provide the following as part of the application process.

(1) *Written summary of the proof of concept with a detailed system design and prototype*

Solvers should respond to the judging criteria specified in the Judging Criteria Section.

(2) *A prototype with a working interactive model of the analytical visualization tool*

The prototype must provide an idea of the proposed design, navigation and layout of the tool. It must demonstrate the functionality and verify that the analytical visualization tool idea and concept can be achieved in full development.

(3) *A ten-minute live, In-person or virtual demo of the prototype*

Stage III, Tools

To be eligible to win a prize under this stage, an individual or entity must be invited to submit a full working tool. Applicants must provide the following as part of the application process.

(1) *Perform a thirty-minute live in-person or virtual demo of the working tool*

(2) *Provide a written summary of the analytical visualization tool*

Solvers should respond to the judging criteria specified in the Judging Criteria Section.

(3) *Submit complete documentation of the tool*

(4) *Submit all code and fully functioning software and analytical visualization tool to USDOT*

Judging Criteria

Stage I—Ideation Judging Criteria

These criteria area weighted equally. The evaluation panels will consider each proposal's alignment with each of these criteria and make recommendations to the Under Secretary of Transportation for Policy. The Under Secretary selects as semi-finalists those proposals that best advance the purposes of this competition, as described in this notice.

Criteria Applying To All Tools

- *Benefits.* Defines a target user or demonstrates the potential for users, should the tool be developed. Takes into consideration inputs from potential users. Details appeal and relevance to target user and describes method to measure benefits. Describes extent to which the tool expands upon existing safety understanding, generates actionable insights for its proposed target audience, and has the potential for dramatic impacts on transportation safety. Addresses the challenges facing

broad adoption, and how could they be overcome.

• *Data.* Identifies data requirements and appropriately handles uncertainty. Describes a new, original idea that integrates data in an unprecedented and novel way or enhances understanding of the data. Explains what risks or challenges exist for accessing and/or using the data, and how could they be overcome. Proposes using cost-effective data. Details an appropriate use of the data for the analytical visualization tool in supporting insight discovery and for the message of the visualization.

• *Technology.* Discusses existing technologies and describes how the proposed tool differs from current technologies. Details the features of the tool and how they can be accessed and understood by the maximum possible number of users. Describes a wide range of accessibility and uptake for target users by using technology that can easily be deployed and maintained. Proposes using cost-effective technologies.

• *Cost to Implement.* Provides a clear schedule for project implementation, monitoring, and evaluation. Includes initial estimates of data input and operating costs and includes five-year maintenance estimates for implementing and potentially scaling the tool. Describes how the benefits of the proposed tool outweigh the costs of end-users obtaining the data, technology, skills and resources necessary to implement and sustain the tool.

Criteria Applying to Only Discover Insights Tool

• *Insights.* Provides an innovative plan and project narrative that describes how the proposed tool will reveal insights to a solution. Details the tool's unique differentiating factor for reducing serious crashes. Identifies and addresses one or more of the priority safety focus areas. Exemplifies potential for raising awareness about transportation safety and for possible solutions to transportation safety challenges.

Criteria Applying to Only Simulation Tool

• *Simulation.* Provides an innovative plan and project narrative that describes how the proposed tool will allow users to simulate different conditions from models. Describes the capacity to customize the tool based on different scenarios from models. Details the accuracy and precision the tool will perform at in visualizing a variety of scenarios from models. Identifies and addresses one or more of the priority safety focus areas. Exemplifies potential for raising awareness about transportation safety and for possible solutions to transportation safety challenges.

Note: Stage II and Stage III judging criteria are preliminary. Final judging criteria for Stages II and III will be provided to Solvers advancing to these stages and posted on the Challenge website.

Stage II—Concepts Judging Criteria

• *Technical Approach.* Demonstrates a high-level of technical merit for the proposed approach to accessing and analyzing the data and designing the tool.

• *Design and Desirability.* Demonstrates how the interface and visualization meet the needs of users. Shows how it could simplify their work or inform their decisions and, how will it appeal to them based on intuitive design and ease of use.

• *Analytical Depth.* Considers a variety of data sources and application of an appropriate analysis technique.

• *Technology Transfer Readiness Level and Feasibility.* Demonstrates a reasonable path for implementation and production, and a clear method for validating data with a high degree of confidence backed by credible supporting evidence. Uses technology that USDOT or the public sector can easily deploy. Provides clear breakdown of data input costs and operating and maintenance costs.

• *Scalability.* Offers a plan as to how the system could be expanded to other geographic areas, to different safety data, or to other scenarios of concern for transportation safety. Demonstrates scalability of tool and data.

• *Team.* Demonstrates significant evolution and improvement of the initial Ideation through additional specifics and refinement of concept. Exemplifies the commitment and ability to bring the full working analytical visualization tool design to fruition.

Stage III—Tools Judging Criteria

• *Quality of Methods.* The degree to which the team has shown the research that they have undertaken to lead them to their technology idea, understood the category they have chosen and is a revolutionary way to analyze and visualize that data type.

• *Sustainability.* The extent to which the submission illustrates a plan to maintain consistent long-term access to the Analytical Visualization Tool for local-level or national-level decision-makers, and adequately addresses potential constraints and possible unintended consequences of the tool's use.

• *Functionality and Technical Effectiveness.* The ability of the final product to provide significant insights or visualize scenario analyses. The level of speed, sensitivity and precision (completeness and usefulness) of the results based on the safety problems posed in the Challenge.

• *Expected Return on Investment.* The benefits of the tool as compared to the data input and operating and maintenance costs for implementing and potentially scaling the tool.

Deadlines for Submitting Proposals

USDOT will accept Stage I Ideation submissions that are received no later than 11:59 p.m. EDT on July 31, 2018.

Confidential and Business Information

Responses to the Challenge solicitation and communication with USDOT are subject to the Freedom of Information Act (FOIA). If the application includes information that the applicant considers to be a trade secret or confidential commercial or financial information, the proposer should do the following: (1) Note on the front cover that the submission ''Contains Confidential Business Information (CBI)''; (2) mark each affected page ''CBI''; and (3) highlight or otherwise denote the CBI portions. USDOT protects such information from disclosure to the extent allowed under applicable law. In the event USDOT receives a FOIA request for the information, USDOT will follow the procedures described in its FOIA regulations at 49 CFR 7.17. Only information that is ultimately determined to be confidential under that procedure will be exempt from disclosure under FOIA. USDOT may proactively publish any application information that is not marked as CBI.

Representation, Warranties, and Indemnification

By entering the Challenge, each applicant represents, warrants and covenants as follows:

• Participant is the sole author, creator, and owner of the Submission;

• The Submission is not the subject of any actual or threatened litigation or claim;

• The Submission does not and will not violate or infringe upon the intellectual property rights, privacy rights, publicity rights, or other legal rights of any third party;

• The Submission does not and will not contain any harmful computer code (sometimes referred to as ''malware,'' ''viruses,'' or ''worms''); and

• The Submission, and contestants' use of the Submission, does not and will

not violate any applicable laws or regulations, including, without limitation, HIPAA, or applicable export control laws and regulations of the U.S. and other jurisdictions.

Contestants must indemnify, defend, and hold harmless the Federal Government from and against all third-party claims, actions, or proceedings of any kind and from any and all damages, liabilities, costs, and expenses relating to or arising from participant's submission or any breach or alleged breach of any of the representations, warranties, and covenants of participant hereunder. Contestants are financially responsible for claims made by a third party.

USDOT reserves the right to disqualify any submission that it deems, in its discretion, to violate these Official Rules, Terms & Conditions.

Intellectual Property (IP) of Submissions

As part of their acceptance of the Stage I prize, each semi-finalist grants to USDOT and its designees a worldwide, non-exclusive, sub-licensable, transferable, fully paid-up, royalty-free, perpetual, irrevocable right to use, reproduce, distribute, modify, create derivative works, publicly perform, publicly display, digitally perform, make, have made, distribute and import their Stage I submission and other data submitted, in any media now known or hereafter developed, for any purpose whatsoever, commercial or otherwise, without further approval by or payment to the semi-finalist, and represents that he/she/it has the unrestricted right to grant that license. Furthermore, the semi-finalist grants the government and its designees a worldwide, non-exclusive, sub-licensable, transferable, fully paid-up, royalty-free, perpetual, irrevocable, unlimited rights to the government or its designees to apply or utilize the submission, modified submission, or derivative work with other data not owned by the semi-finalist and that all resulting data output is available to the government for unlimited use.

Note: Stage II and Stage III intellectual property terms are preliminary. Final intellectual property terms for Stages II and III will be provided to Solvers advancing to these stages and posted on the Challenge website.

As part of their acceptance of the Stage II cash prize, each Finalist grants to USDOT and its designees a worldwide, non-exclusive, sub-licensable, transferable, fully paid-up, royalty-free, perpetual, irrevocable right to use, reproduce, distribute, modify, create derivative works, publicly perform, publicly display, digitally perform, make, have made, distribute and import their Stage II submission and other data submitted, in any media now known or hereafter developed, for any purpose whatsoever, commercial or otherwise, without further approval by or payment to the Finalist, and represents that he/she/it has the unrestricted right to grant that license. Furthermore, the Finalist grants the government and its designees a worldwide, non-exclusive, sub-licensable, transferable, fully paid-up, royalty-free, perpetual, irrevocable, unlimited rights to the government or its designees to apply or utilize the submission, modified submission, or derivative work with other data not owned by the Finalist and that all resulting data output is available to the government for unlimited use.

As part of their acceptance of the Stage III cash prize, each Winner grants to USDOT and its designees a worldwide, non-exclusive, sub-licensable, transferable, fully paid-up, royalty-free, perpetual, irrevocable right to use, reproduce, distribute, modify, create derivative works, publicly perform, publicly display, digitally perform, make, have made, distribute and import their Stage III submission and other data submitted, in any media now known or hereafter developed, for any purpose whatsoever, commercial or otherwise, without further approval by or payment to the Winner, and represents that he/she/it has the unrestricted right to grant that license. Furthermore, the Winner grants the government and its designees a worldwide, non-exclusive, sub-licensable, transferable, fully paid-up, royalty-free, perpetual, irrevocable, unlimited rights to the government or its designees to apply or utilize the submission, modified submission, or derivative work with other data not owned by the Finalist and that all resulting data output is available to the government for unlimited use.

For more information, and to register your intent to compete as a Solver or to commit your support of the Challenge as an Innovation Agent, visit *www.transportation.gov/Solve4Safety.*

Issued on: June 11, 2018.

Derek Kan,

USDOT Under Secretary for Policy.

[FR Doc. 2018–12795 Filed 6–13–18; 8:45 am]

BILLING CODE 4910–9X–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; 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 (*www.treas.gov/ofac*).

Notice of OFAC Actions

On May 24, 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 authorities listed below.

Individuals

1. YEGANE, Gulnihal (a.k.a. YEGANE AKSIT, Gulnihal; a.k.a. YEGANE, Gulnihal Kulak), Merkez Mah. Hasat Sok. No. 52/6 Sisli, Istanbul 21344, Turkey; Egs Bloklari B–1 Blok K.1 No: 114, Yesilkoy-Bakirkoy, Istanbul, Turkey; DOB 15 Sep 1975; POB Karabuk, Kula, Turkey; alt. POB Manisa, Kula, Turkey; nationality Turkey; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Female; Passport 791029 (Turkey); National ID No. 27224237098 (Turkey) (individual) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of Executive Order 13224 of September 23, 2001, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism,'' (E.O. 13224) for assisting in, sponsoring, or providing financial, material, technological support for, or financial or other services to or in support of, Iran's MAHAN AIR, a person determined to be subject to E.O. 13224.

2. RONAGHI, Iraj, No. 3–11 Tower B, Tehran Towers, Hormozan St. Phase 2, Shahrak, Qods, Tehran, Iran; DOB 18 Nov 1952; POB Tehran, Iran; citizen Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male (individual) [SDGT] [IFSR] (Linked To: MERAJ AIR).

Designated pursuant to sections 1(c) of E.O. 13224 for acting for or on behalf of Iran's MERAJ AIR, a person determined to be subject to E.O. 13224.

3. ZANGANEH, Touraj (a.k.a. ZANGANEH, Tooraj Dehghani; a.k.a. ZANGENE, Touraj Dehgani; a.k.a. ZANGENEH, Touraj Dehghani), Iran; DOB 05 Aug 1958; POB Kermanshah, Iran; citizen Iran; Additional Sanctions Information—Subject to Secondary Sanctions; Gender Male (individual) [SDGT] [IFSR] (Linked To: MERAJ AIR).

Designated pursuant to sections 1(c) of E.O. 13224 for acting for or on behalf of Iran's MERAJ AIR, a person determined to be subject to E.O. 13224.

Entities

1. BLUE AIRWAYS (a.k.a. BLUE SKY SZE), Mahan Air Tower, Azadegn Street, Karaj Highway, Tehran, Iran; Additional Sanctions Information—Subject to Secondary Sanctions [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(c) of E.O. 13224 for acting for or on behalf of Iran's MAHAN AIR, a person determined to be subject to E.O. 13224.

Also designated pursuant to section 1(d)(i) for assisting in, sponsoring, or providing financial, material, technological support for, or financial or other services to or in support of, Iran's MAHAN AIR, a person determined to be subject to E.O. 13224.

2. OTIK AVIATION (a.k.a. OTIK HAVACILIK SANAYI VE TICARET LIMITED SIRKETI), Kent Pasaji C Blok No: 2/33–3, Halaskargazi Caddesi Eftal Sokak Sisli, Istanbul 34371, Turkey; Halaskar Gazi Cad. Eftal Sk. Kent Pasaji No: 2/33 Sisli, Istanbul 31371, Turkey; Additional Sanctions Information—Subject to Secondary Sanctions; Registration ID 844437 (Turkey) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of E.O. 13224 for assisting in, sponsoring, or providing financial, material, technological support for, or financial or other services to or in support of, Iran's MAHAN AIR, a person determined to be subject to E.O. 13224.

3. TRIGRON LOJISTIK KARGO LIMITED SIRKETI (a.k.a. TRIGRON CARGO LOGISTICS LTD.; a.k.a. TRIGRON KARGO; a.k.a. TRIGRON KARGO LOJISTIK), Airport Hill Sitesi C Blok D. 6, NO: 11–D, Degirmenbahce Caddesi 11–D–C Blok, Bahcelievler, Istanbul 34180, Turkey; Additional Sanctions Information—Subject to Secondary Sanctions; Business Registration Document # 846711 (Turkey) [SDGT] [IFSR] (Linked To: MAHAN AIR; Linked To: YEGANE, Gulnihal).

Designated pursuant to section 1(c) of E.O. 13224 for being owned or controlled by GULNIHAL YEGANE, a person determined to be subject to E.O. 13224.

Also designated pursuant to section 1 (d)(i) of E.O. 13224 for assisting in, sponsoring, or providing financial, material, technological support for, or financial or other services to or in support of, MAHAN AIR, a person determined to be subject to E.O. 13224.

4. 3G LOJISTIK VE HAVACILIK HIZMETLERI LTD. SIRKETI, No. 3/182 Altintepe Bagdat Cad. Istasyon Yolu Sok., Istanbul 34840, Turkey; Additional Sanctions Information—Subject to Secondary Sanctions [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of E.O. 13224 for assisting in, sponsoring, or providing financial, material, technological support for, or financial or other services to or in support of, MAHAN AIR, a person determined to be subject to E.O. 13224.

5. RA HAVACILIK LOJISTIK VE TASIMACILIK TICARET LIMITED SIRKETI, No: 3/101, Yesilce Mahallesi Dalgic Sokak, Kagithane, Istanbul, Turkey; Additional Sanctions Information—Subject to Secondary Sanctions; Business Registration Document #49840 (Turkey); Tax ID No. 7340903161 (Turkey) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Designated pursuant to section 1(d)(i) of E.O. 13224 for assisting in, sponsoring, or providing financial, material, technological support for, or financial or other services to or in support of, MAHAN AIR, a person determined to be subject to E.O. 13224.

6. DENA AIRWAYS (a.k.a. DENA AIRLINES), Tehran, Iran; Additional Sanctions Information—Subject to Secondary Sanctions [SDGT] [IFSR] (Linked To: MERAJ AIR; Linked To: RONAGHI, Iraj; Linked To: ZANGANEH, Touraj).

Designated pursuant to section 1(c) of E.O. 13224 for being owned or controlled by IRAJ RONAGHI, a person determined to be subject to E.O. 13224.

Also designated pursuant to section 1(c) of E.O. 13224 for being owned or controlled by TOURAJ ZANGANEH, a person determined to be subject to E.O. 13224.

Also designated pursuant to section 1(c) of E.O. 13224 for acting for or on behalf of Iran's MERAJ AIR, persons determined to be subject to E.O. 13224.

Aircraft

1. EP–CAQ; Aircraft Manufacture Date 01 Oct 1992; Aircraft Model B737; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 26467; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

2. EP–CAR; Aircraft Manufacture Date 21 Jun 1993; Aircraft Model B737; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 26451; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

3. EP–CAS; Aircraft Manufacture Date 31 Aug 1999; Aircraft Model DC–9; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 53623; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

4. EP–CPD; Aircraft Manufacture Date Aug 1995; Aircraft Model DC–9; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 53188; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

5. EP–CPU; Aircraft Manufacture Date Apr 1994; Aircraft Model DC–9; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 53223; Additional Sanctions Information—Subject to Secondary

Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

6. EP–CAP; Aircraft Manufacture Date 18 Sep 1992; Aircraft Model B737; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 26466; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

7. EP–CPV; Aircraft Manufacture Date 20 Oct 1990; Aircraft Model DC–9; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 49938; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

8. EP–CPX; Aircraft Manufacture Date Jul 1994; Aircraft Model DC–9; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 53463; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

9. EP–CPZ; Aircraft Manufacture Date Aug 1994; Aircraft Model DC–9; Aircraft Operator Caspian Air; Aircraft Manufacturer's Serial Number (MSN) 53464; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: CASPIAN AIRLINES).

Blocked pursuant to E.O. 13224 for being property in which CASPIAN AIR, a person whose property and interest in property are blocked, has an interest.

10. EP–MOS; Aircraft Manufacture Date 15 Mar 1999; Aircraft Model BAe RJ85; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 2347; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

11. EP–MOR; Aircraft Manufacture Date 20 Nov 2001; Aircraft Model BAe RJ85; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 2392; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

12. EP–MOQ; Aircraft Manufacture Date 24 Mar 1995; Aircraft Model BAe RJ85; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 2261; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

13. EP–MOP; Aircraft Manufacture Date 14 Mar 1995; Aircraft Model BAe RJ85; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 2257; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

14. EP–MOM; Aircraft Manufacture Date 12 May 1990; Aircraft Model BAe 146–300; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 3165; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

15. EP–MOD; Aircraft Manufacture Date 12 Nov 1990; Aircraft Model BAe 146–300; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 3162; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

16. EP–MNF; Aircraft Manufacture Date 07 Aug 1990; Aircraft Model A310–304; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 547; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

17. EP–MMV; Aircraft Manufacture Date 12 Aug 1987; Aircraft Model BAe 146–200; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 2079; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

18. EP–MMJ; Aircraft Manufacture Date 05 Oct 1989; Aircraft Model A310–304; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 526; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

19. EP–MMC; Aircraft Manufacture Date 18 Jun 1999; Aircraft Model A340–313X; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 282; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

20. EP–MMB; Aircraft Manufacture Date 07 Dec 1994; Aircraft Model A340–311; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 56; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

21. EP–MMA; Aircraft Manufacture Date 08 Sep 1993; Aircraft Model A340–311; Aircraft Operator Mahan Air; Aircraft Manufacturer's Serial Number (MSN) 20; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MAHAN AIR).

Blocked pursuant to E.O. 13224 for being property in which MAHAN AIR, a person whose property and interest in property are blocked, has an interest.

22. EP–SIG; Aircraft Manufacture Date 15 Feb 1995; Aircraft Model A300; Aircraft Operator Meraj Air; Aircraft Manufacturer's Serial Number (MSN) 750; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MERAJ AIR).

Blocked pursuant to E.O. 13224 for being property in which MERAJ AIR, a person whose property and interest in property are blocked, has an interest.

23. EP–SIF; Aircraft Manufacture Date 19 Oct 1995; Aircraft Model A300; Aircraft Operator Meraj Air; Aircraft Manufacturer's Serial Number (MSN) 762; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MERAJ AIR).

Blocked pursuant to E.O. 13224 for being property in which MERAJ AIR, a person whose property and interest in property are blocked, has an interest.

24. EP–AJI; Aircraft Manufacture Date 11 Aug 2000; Aircraft Model A320; Aircraft Operator Meraj Air; Aircraft Manufacturer's Serial Number (MSN) 1300; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MERAJ AIR).

Blocked pursuant to E.O. 13224 for being property in which MERAJ AIR, a person whose property and interest in property are blocked, has an interest.

25. EP–AJH; Aircraft Manufacture Date 27 Oct 2000; Aircraft Model A320; Aircraft Operator Meraj Air; Aircraft Manufacturer's Serial Number (MSN) 1353; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MERAJ AIR).

Blocked pursuant to E.O. 13224 for being property in which MERAJ AIR, a person whose property and interest in property are blocked, has an interest.

26. EP–AJC; Aircraft Manufacture Date 28 Feb 1995; Aircraft Model A320; Aircraft Operator Meraj Air; Aircraft Manufacturer's Serial Number (MSN) 530; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IFSR] (Linked To: MERAJ AIR).

Blocked pursuant to E.O. 13224 for being property in which MERAJ AIR, a person whose property and interest in property are blocked, has an interest.

27. EP–PUM; Aircraft Manufacture Date 2002; Aircraft Model An-74; Aircraft Operator Pouya Air; Aircraft Manufacturer's Serial Number (MSN) 3654701211059; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IRGC] [IFSR] (Linked To: POUYA AIR).

Blocked pursuant to E.O. 13224 for being property in which POUYA AIR, a person whose property and interest in property are blocked, has an interest.

28. EP–PUL; Aircraft Manufacture Date 1983; Aircraft Model IL–76; Aircraft Operator Pouya Air; Aircraft Manufacturer's Serial Number (MSN) 33448393; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IRGC] [IFSR] (Linked To: POUYA AIR).

Blocked pursuant to E.O. 13224 for being property in which POUYA AIR, a person whose property and interest in property are blocked, has an interest.

29. EP–PUA; Aircraft Manufacture Date 1998; Aircraft Model An-74; Aircraft Operator Pouya Air; Aircraft Manufacturer's Serial Number (MSN) 3654701211055; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IRGC] [IFSR] (Linked To: POUYA AIR).

Blocked pursuant to E.O. 13224 for being property in which POUYA AIR, a person whose property and interest in property are blocked, has an interest.

30. EP–LDC; Aircraft Manufacture Date 26 Sep 1997; Aircraft Model ERJ–145; Aircraft Operator Pouya Air; Aircraft Manufacturer's Serial Number (MSN) 145026; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IRGC] [IFSR] (Linked To: POUYA AIR).

Blocked pursuant to E.O. 13224 for being property in which POUYA AIR, a person whose property and interest in property are blocked, has an interest.

31. EP–LDA; Aircraft Manufacture Date 17 Sep 1997; Aircraft Model ERJ–145; Aircraft Operator Pouya Air; Aircraft Manufacturer's Serial Number (MSN) 145025; Additional Sanctions Information—Subject to Secondary Sanctions (aircraft) [SDGT] [IRGC] [IFSR] (Linked To: POUYA AIR).

Blocked pursuant to E.O. 13224 for being property in which POUYA AIR, a person whose property and interest in property are blocked, has an interest.

Dated: May 24, 2018.

Andrea M. Gacki,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2018–12768 Filed 6–13–18; 8:45 am]

BILLING CODE 4810–AL–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 effective date(s).

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 (*www.treasury.gov/ofac*).

Notice of OFAC Actions

On June 11, 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. CHIRIKOV, Oleg Sergeyevich (a.k.a. CHIRIKOV, Oleg); DOB 26 Nov 1984; Passport 715896188 (Russia) (individual) [CYBER2] (Linked To: DIVETECHNOSERVICES).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13694, as amended, for having acted for or on behalf of, DIVETECHNOSERVICES, a person whose property and interests in property are blocked pursuant to E.O. 13694.

2. KAGANSKIY, Vladimir Yakovlevich (a.k.a. KAGANSKIY, Vladimir), Russia; DOB 23 Dec 1957; Gender Male; Passport 726105847 (Russia) (individual) [CYBER2] (Linked To: DIVETECHNOSERVICES).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13694, as amended, for having acted for or on behalf of, DIVETECHNOSERVICES, a person whose property and interests in property are blocked pursuant to E.O. 13694.

3. TRIBUN, Aleksandr Lvovich (Cyrillic: ТРИБУН, Александр Львович) (a.k.a. TRIBUN, Aleksandr; a.k.a. TRIBUN, Alexandr Lvovich), Russia; DOB 29 Aug 1969; Passport 7195142631 (Russia) (individual) [CYBER2] (Linked To: DIVETECHNOSERVICES).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13694, as amended, for having acted for or on behalf of, DIVETECHNOSERVICES, a person whose property and interests in property are blocked pursuant to E.O. 13694.

Entities

1. DIGITAL SECURITY (a.k.a. DIGITAL SECURITY RESEARCH GROUP; a.k.a. OOO DIGITAL SECURITY; a.k.a. ''DSEC''), Saint Petersburg, Russia; Moscow, Russia [CYBER2] (Linked To: FEDERAL SECURITY SERVICE).

Designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored or provided financial, material, or technological support for, or goods or services to or in support of, the FEDERAL SECURITY SERVICE, a person whose property and interests in property are blocked pursuant to E.O. 13694.

2. EMBEDI, Russia; Herzliya, Israel [CYBER2] (Linked To: DIGITAL SECURITY).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13694, as amended, for being owned or controlled by, directly or indirectly, DIGITAL SECURITY, a person whose property and interests in property are blocked pursuant to E.O. 13694.

3. ERPSCAN (Cyrillic: ERPCKAH), Russia; Amsterdam, Netherlands; Prague, Czech Republic; Tel Aviv, Israel [CYBER2] (Linked To: DIGITAL SECURITY).

Designated pursuant to section 1(a)(iii)(C) of E.O. 13694, as amended, for being owned or controlled by, directly or indirectly, DIGITAL SECURITY, a person whose property and interests in property are blocked pursuant to E.O. 13694.

4. KVANT SCIENTIFIC RESEARCH INSTITUTE (a.k.a. NAUCHNO–ISSLEDOVATELSKIY INSTITUT KVANT; a.k.a. NII KVANT; a.k.a. RUSSIAN FEDERAL STATE UNITARY ENTERPRISE SCIENTIFIC RESEARCH INSTITUTE KVANT), Khovrino District, Moscow, Russia; St. Petersburg, Russia [CYBER2] [CAATSA—RUSSIA] (Linked To: FEDERAL SECURITY SERVICE).

Designated pursuant to section 224(a)(1)(B) of the Countering America's Adversaries Through Sanctions Act, (CAATSA), Public Law 115–44, for being owned or controlled by, directly or indirectly, the FEDERAL SECURITY SERVICE, a person designated under section 224(a)(1)(A) of CAATSA.

Also designated pursuant to section 1(a)(iii)(C) of E.O. 13694, as amended, for being owned or controlled by, directly or indirectly, the FEDERAL SECURITY SERVICE, a person whose property and interests in property are blocked pursuant to E.O. 13694.

Also designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the FEDERAL SECURITY SERVICE, a person whose property and interests in property are blocked pursuant to E.O. 13694.

5. DIVETECHNOSERVICES (a.k.a. DAIVTEKHNOSERVIS, OOO; a.k.a. DAYVTEKHNOSERVIS; a.k.a. DIVE TECHNO SERVICES), d. 18 korp. 2 litera A, ul. Zheleznovodskaya, St. Petersburg 199155, Russia [CYBER2] (Linked To: FEDERAL SECURITY SERVICE).

Designated pursuant to section 1(a)(iii)(B) of E.O. 13694, as amended, for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the FEDERAL SECURITY SERVICE, a person whose property and interests in property are blocked pursuant to E.O. 13694.

Dated: June 11, 2018.

Andrea Gacki,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2018–12784 Filed 6–13–18; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0386]

Agency Information Collection Activity Under OMB Review: Interest Rate Reduction Refinancing Loan Worksheet

AGENCY: Loan Guaranty Service, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Loan Guaranty Service, Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 16, 2018.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov*, or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW, Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov.* Please refer to ''OMB Control No. 2900–0386'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Cynthia Harvey-Pryor, Enterprise Records Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461–5870 or email *cynthia.harvey-pryor@va.gov.* Please refer to ''OMB Control No. 2900–0386'' in any correspondence.

SUPPLEMENTARY INFORMATION:

Authority: 44 U.S.C. 3501–21. (Authority is now placed above title).

Title: Interest Rate Reduction Refinancing Loan Worksheet, VA Form 26–8923.

OMB Control Number: 2900–0386.

Type of Review: Revision of a currently approved collection.

Abstract: The major use of this form is to determine Veterans eligible for an exception to pay a funding fee in connection with a VA-guaranteed loan. Lenders are required to complete VA Form 26–8923 on all interest rate reduction refinancing loans and submit the form to the Veteran no later than the third business day after receiving the Veteran's 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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 83 FR 12848 on 5/23/2018, page 12848.

Affected Public: Individuals or Households.

Estimated Annual Burden: 23,333.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 140,000.

By direction of the Secretary.

Cynthia D. Harvey-Pryor,

Department Clearance Officer, Office of Quality, Privacy and Risk, Department of Veterans Affairs.

[FR Doc. 2018–12724 Filed 6–13–18; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0635]

Agency Information Collection Activity Under OMB Review: Suspension of Monthly Check

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

DATES: Comments must be submitted on or before July 16, 2018.

ADDRESSES: Submit written comments on the collection of information through *www.Regulations.gov*, or to Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: VA Desk Officer; 725 17th St. NW, Washington, DC 20503 or sent through electronic mail to *oira_submission@omb.eop.gov*. Please refer to ''OMB Control No. 2900–0635'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Cynthia Harvey-Pryor, Office of Quality, Privacy and Risk (OQPR), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461–5870 or email *Cynthia.Harvey-Pryor@va.gov*. Please refer to ''OMB Control No. 2900–0635'' in any correspondence.

SUPPLEMENTARY INFORMATION:

Authority: Public Law 104–13; 44 U.S.C. 3501–3521.

Title: Suspension of Monthly Check (VA Form 29–0759).

OMB Control Number: 2900–0635.

Type of Review: Reinstatement of a previously approved collection.

Abstract: The form is used by the Department of Veterans Affairs to advise the beneficiary that his/her monthly check has been suspended. The information requested is authorized by law, 38 U.S.C. 1917.

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 **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 83 FR 03909 on February, 27, 2018, page 8573.

Affected Public: Individuals or Households.

Estimate: Annual Burden: 83 hours.

Estimated Average Burden per Respondent: 10 minutes.

Frequency of Response: On Occasion.

Estimated Number of Respondents: 50.

By direction of the Secretary.

Cynthia D. Harvey-Pryor,

Department Clearance Officer, Office of Quality, Privacy and Risk, Department of Veterans Affairs.

[FR Doc. 2018–12725 Filed 6–13–18; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 83 Thursday,

No. 115 June 14, 2018

Part II

Department of the Interior

Fish and Wildlife Service

50 CFR Part 20

Migratory Bird Hunting; Proposed 2019–20 Migratory Game Bird Hunting Regulations (Preliminary) With Requests for Indian Tribal Proposals; Notice of Meetings; Proposed Rule

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

[Docket No. FWS–HQ–MB–2018–0030; FF09M21200–189–FXMB1231099BPP0]

RIN 1018–BD10

Migratory Bird Hunting; Proposed 2019–20 Migratory Game Bird Hunting Regulations (Preliminary) With Requests for Indian Tribal Proposals; Notice of Meetings

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; availability of supplemental information.

SUMMARY: The U.S. Fish and Wildlife Service (hereinafter the Service or we) proposes to establish annual hunting regulations for certain migratory game birds for the 2019–20 hunting season. We annually prescribe outside limits (frameworks) within which States may select hunting seasons. This proposed rule provides the regulatory schedule, announces the Service Migratory Bird Regulations Committee (SRC) and Flyway Council meetings, describes the proposed regulatory alternatives for the 2019–20 duck hunting seasons, and requests proposals from Indian tribes that wish to establish special migratory game bird hunting regulations on Federal Indian reservations and ceded lands. Migratory bird hunting seasons provide opportunities for recreation and sustenance; aid Federal, State, and tribal governments in the management of migratory game birds; and permit harvests at levels compatible with migratory game bird population status and habitat conditions.

DATES:

Comments: You may comment on the general harvest strategy and the proposed regulatory alternatives for the 2019–20 season until July 18, 2018. Following subsequent **Federal Register** documents, you will be given an opportunity to submit comments on the proposed frameworks by January 15, 2019. Tribes must submit proposals and related comments on or before December 1, 2018.

Meetings: The SRC will conduct a meeting on July 10, 2018, to identify and discuss preliminary issues concerning the 2019–20 migratory bird hunting regulations. The meeting will commence at approximately 11:00 a.m. EDT. The SRC will meet to consider and develop proposed regulations for the 2019–20 migratory game bird hunting seasons on October 16–17, 2018. Meetings on both days are open to the public and will commence at approximately 8:30 a.m.

ADDRESSES: You may submit comments on the proposals by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–HQ–MB–2018–0030.
- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: FWS–HQ–MB–2018–0030; Division of Policy, Performance, and Management Programs; U.S. Fish and Wildlife Service, MS: BPHC; 5275 Leesburg Pike, Falls Church, VA 22041.

We will not accept emailed or faxed comments. We will post all comments on *http://www.regulations.gov.* This generally means that your entire submission—including any personal identifying information—will be posted on the website. See the Public Comments section, below, for more information.

Meetings: The July 10, 2018, SRC meeting will be available to the public via teleconference in the Rachel Carson conference room at 5275 Leesburg Pike, Falls Church, VA 22041. The October 16–17, 2018, SRC meeting will be at the U.S. Fish and Wildlife Service, 5600 American Boulevard, Bloomington, MN 55437.

FOR FURTHER INFORMATION CONTACT: Ron W. Kokel at: Division of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, MS: MB, 5275 Leesburg Pike, Falls Church, VA 22041; (703) 358–1714.

SUPPLEMENTARY INFORMATION:

New Process for the Annual Migratory Game Bird Hunting Regulations

As part of DOI's retrospective regulatory review, 3 years ago we developed a schedule for migratory game bird hunting regulations that is more efficient and provides hunting season dates earlier than was possible under the old process. The new process makes planning easier for the States and all parties interested in migratory bird hunting. Beginning in the summer of 2015, with the development of the 2016–17 hunting seasons, we started promulgating our annual migratory game bird hunting regulations using a new schedule that combines the previously used early- and late-season regulatory processes into a single process. We make decisions for harvest management based on predictions derived from long-term biological information and established harvest strategies and, therefore, can establish migratory bird hunting seasons earlier than the system we used for many years. Under the new process, we develop proposed hunting season frameworks for a given year in the fall of the prior year. We then finalize those frameworks a few months later, thereby enabling the State agencies to select and publish their season dates in early summer. This proposed rule is the first in a series of proposed and final rulemaking documents for the establishment of the 2019–20 hunting seasons.

Background and Overview

Migratory game birds are those bird species so designated in conventions between the United States and several foreign nations for the protection and management of these birds. Under the Migratory Bird Treaty Act (16 U.S.C. 703–712), the Secretary of the Interior is authorized to determine when ''hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any * * * bird, or any part, nest, or egg'' of migratory game birds can take place, and to adopt regulations for this purpose. These regulations are written after giving due regard to ''the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of migratory flight of such birds'' and are updated annually (16 U.S.C. 704(a)). This responsibility has been delegated to the Service as the lead Federal agency for managing and conserving migratory birds in the United States. However, migratory game bird management is a cooperative effort of State, Tribal, and Federal governments.

The Service develops migratory game bird hunting regulations by establishing the frameworks, or outside limits, for season lengths, bag limits, and areas for migratory game bird hunting. Acknowledging regional differences in hunting conditions, the Service has administratively divided the Nation into four Flyways for the primary purpose of managing migratory game birds. Each Flyway (Atlantic, Mississippi, Central, and Pacific) has a Flyway Council, a formal organization generally composed of one member from each State and Province in that Flyway. The Flyway Councils, established through the Association of Fish and Wildlife Agencies, also assist in researching and providing migratory game bird management information for Federal, State, and Provincial governments, as well as private conservation entities and the general public.

The process for adopting migratory game bird hunting regulations, located in title 50 of the Code of Federal

Regulations (CFR) at part 20, is constrained by three primary factors. Legal and administrative considerations dictate how long the rulemaking process will last. Most importantly, however, the biological cycle of migratory game birds controls the timing of data-gathering activities and thus the dates on which these results are available for consideration and deliberation.

For the regulatory cycle, Service biologists gather, analyze, and interpret biological survey data and provide this information to all those involved in the process through a series of published status reports and presentations to Flyway Councils and other interested parties. Because the Service is required to take abundance of migratory game birds and other factors into consideration, the Service undertakes a number of surveys throughout the year in conjunction with Service Regional Offices, the Canadian Wildlife Service, and State and Provincial wildlife-management agencies. To determine the appropriate frameworks for each species, we consider factors such as population size and trend, geographical distribution, annual breeding effort, condition of breeding and wintering habitat, number of hunters, and anticipated harvest. After frameworks are established for season lengths, bag limits, and areas for migratory game bird hunting, States may select season dates, bag limits, and other regulatory options for the hunting seasons. States may always be more conservative in their selections than the Federal frameworks, but never more liberal.

Service Migratory Bird Regulations Committee Meetings

The SRC will conduct an open meeting on July 10, 2018, to discuss preliminary issues for the 2019–20 regulations, and on October 16–17, 2018, to review information on the current status of migratory game birds and develop 2019–20 migratory game bird regulations recommendations for these species. In accordance with Departmental policy, these meetings are open to public observation. You may submit written comments to the Service on the matters discussed. See **DATES** and **ADDRESSES** for information about these meetings.

Announcement of Flyway Council Meetings

Service representatives will be present at the individual meetings of the four Flyway Councils this August and September. Although agendas are not yet available, these meetings usually commence at 8 a.m. on the days indicated.

Atlantic Flyway Council: September 27–28, 2018; Hotel 1620 Plymouth Harbor, 180 Water Street, Plymouth, MA.

Mississippi Flyway Council: August 23–24, 2018; Radisson Hotel Winnipeg Downtown, 288 Portage Avenue, Winnipeg, Manitoba, Canada.

Central Flyway Council: August 30–31, 2018; Elk Ridge Resort and Conference Centre, Waskesiu Lake, Saskatchewan, Canada.

Pacific Flyway Council: September 28, 2018; Drury Inn and Suites, Flagstaff, AZ.

Notice of Intent To Establish Open Seasons

This document announces our intent to establish open hunting seasons and daily bag and possession limits for certain designated groups or species of migratory game birds for 2019–20 in the contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands, under §§ 20.101 through 20.107, 20.109, and 20.110 of subpart K of 50 CFR part 20. For the 2019–20 migratory game bird hunting season, we will propose regulations for certain designated members of the avian families Anatidae (ducks, geese, and swans); Columbidae (doves and pigeons); Gruidae (cranes); Rallidae (rails, coots, moorhens, and gallinules); and Scolopacidae (woodcock and snipe). We describe these proposals under Proposed 2019–20 Migratory Game Bird Hunting Regulations (Preliminary) in this document. We annually publish definitions of flyways and management units, and a description of the data used in and the factors affecting the regulatory process (see May 30, 2017, **Federal Register** (82 FR 24786) for the latest definitions and descriptions).

Regulatory Schedule for 2019–20

This document is the first in a series of proposed, supplemental, and final rulemaking documents for migratory game bird hunting regulations. We will publish additional supplemental proposals for public comment in the **Federal Register** as population, habitat, harvest, and other information become available. Major steps in the 2019–20 regulatory cycle relating to open public meetings and **Federal Register** notifications are illustrated in the diagram at the end of this proposed rule. All publication dates of **Federal Register** documents are target dates. All sections of this and subsequent documents outlining hunting frameworks and guidelines are organized under numbered headings. These headings are:

1. Ducks
   - A. General Harvest Strategy
   - B. Regulatory Alternatives
   - C. Zones and Split Seasons
   - D. Special Seasons/Species Management
   - i. September Teal Seasons
   - ii. September Teal/Wood Duck Seasons
   - iii. Black Ducks
   - iv. Canvasbacks
   - v. Pintails
   - vi. Scaup
   - vii. Mottled Ducks
   - viii. Wood Ducks
   - ix. Youth Hunt
   - x. Mallard Management Units
   - xi. Other
2. Sea Ducks
3. Mergansers
4. Canada Geese
   - A. Special Early Seasons
   - B. Regular Seasons
   - C. Special Late Seasons
5. White-Fronted Geese
6. Brant
7. Snow and Ross's (Light) Geese
8. Swans
9. Sandhill Cranes
10. Coots
11. Moorhens and Gallinules
12. Rails
13. Snipe
14. Woodcock
15. Band-Tailed Pigeons
16. Doves
17. Alaska
18. Hawaii
19. Puerto Rico
20. Virgin Islands
21. Falconry
22. Other

Later sections of this and subsequent documents will refer only to numbered items requiring your attention. Therefore, it is important to note that we will omit those items requiring no attention, so remaining numbered items will be discontinuous, making the list appear incomplete.

The proposed regulatory alternatives for the 2019–20 duck hunting seasons are contained at the end of this document. We plan to publish final regulatory alternatives in late-August. We plan to publish proposed season frameworks in mid-December 2018. We plan to publish final season frameworks in late February 2019.

Review of Public Comments

This proposed rulemaking contains the proposed regulatory alternatives for the 2019–20 duck hunting seasons. This proposed rulemaking also describes other recommended changes or specific preliminary proposals that vary from the 2018–19 regulations and issues requiring early discussion, action, or the attention of the States or tribes. We will publish responses to all proposals and written comments when we develop final frameworks for the 2019–20 season. We seek additional information and comments on this proposed rule.

Consolidation of Rulemaking Documents

For administrative purposes, this document consolidates the notice of our intent to establish open migratory game bird hunting seasons and the request for tribal proposals with the preliminary proposals for the annual hunting regulations-development process. We will publish the remaining proposed and final rulemaking documents separately. For inquiries on tribal guidelines and proposals, tribes should contact the following personnel:

Region 1 (Idaho, Oregon, Washington, Hawaii, and the Pacific Islands)—Nanette Seto, U.S. Fish and Wildlife Service, 911 NE 11th Avenue, Portland, OR 97232–4181; (503) 231–6164.

Region 2 (Arizona, New Mexico, Oklahoma, and Texas)—Scott Carleton, U.S. Fish and Wildlife Service, 500 Gold Avenue SW, Albuquerque, NM 87102; (505) 248–6639.

Region 3 (Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin)—Tom Cooper, U.S. Fish and Wildlife Service, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437–1458; (612) 713–5101.

Region 4 (Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Puerto Rico, Virgin Islands, South Carolina, and Tennessee)—Laurel Barnhill, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Room 324, Atlanta, GA 30345; (404) 679–4000.

Region 5 (Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia)—Pam Toschik, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, MA 01035–9589; (413) 253–8610.

Region 6 (Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming)—Brian Smith, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Building, Denver, CO 80225; (303) 236–8145.

Region 7 (Alaska)—Eric Taylor, U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503; (907) 786–3423.

Region 8 (California and Nevada)—Amedee Brickey, U.S. Fish and Wildlife Service, 2800 Cottage Way, Sacramento, CA 95825–1846; (916) 414–6480.

Requests for Tribal Proposals

Background

Beginning with the 1985–86 hunting season, we have employed guidelines described in the June 4, 1985, **Federal Register** (50 FR 23467) to establish special migratory game bird hunting regulations on Federal Indian reservations (including off-reservation trust lands) and ceded lands. We developed these guidelines in response to tribal requests for our recognition of their reserved hunting rights, and for some tribes, recognition of their authority to regulate hunting by both tribal and nontribal members throughout their reservations. The guidelines include possibilities for:

(1) On-reservation hunting by both tribal and nontribal members, with hunting by nontribal members on some reservations to take place within Federal frameworks, but on dates different from those selected by the surrounding State(s);

(2) On-reservation hunting by tribal members only, outside of usual Federal frameworks for season dates, season length, and daily bag and possession limits; and

(3) Off-reservation hunting by tribal members on ceded lands, outside of usual framework dates and season length, with some added flexibility in daily bag and possession limits.

In all cases, tribal regulations established under the guidelines must be consistent with the annual March 11 to August 31 closed season mandated by the 1916 Convention Between the United States and Great Britain (for Canada) for the Protection of Migratory Birds (Convention). The guidelines are applicable to those tribes that have reserved hunting rights on Federal Indian reservations (including off-reservation trust lands) and ceded lands. They also may be applied to the establishment of migratory game bird hunting regulations for nontribal members on all lands within the exterior boundaries of reservations where tribes have full wildlife-management authority over such hunting, or where the tribes and affected States otherwise have reached agreement over hunting by nontribal members on non-Indian lands.

Tribes usually have the authority to regulate migratory game bird hunting by nonmembers on Indian-owned reservation lands, subject to our approval. The question of jurisdiction is more complex on reservations that include lands owned by non-Indians, especially when the surrounding States have established or intend to establish regulations governing migratory bird hunting by non-Indians on these lands. In such cases, we encourage the tribes and States to reach agreement on regulations that would apply throughout the reservations. When appropriate, we will consult with a tribe and State with the aim of facilitating an accord. We also will consult jointly with tribal and State officials in the affected States where tribes may wish to establish special hunting regulations for tribal members on ceded lands. It is incumbent upon the tribe and/or the State to request consultation as a result of the proposal being published in the **Federal Register**. We will not presume to make a determination, without being advised by either a tribe or a State, that any issue is or is not worthy of formal consultation.

One of the guidelines provides for the continuation of tribal members' harvest of migratory game birds on reservations where such harvest is a customary practice. We do not oppose this harvest, provided it does not take place during the closed season required by the Convention, and it is not so large as to adversely affect the status of the migratory game bird resource. Since the inception of these guidelines, we have reached annual agreement with tribes for migratory game bird hunting by tribal members on their lands or on lands where they have reserved hunting rights. We will continue to consult with tribes that wish to reach a mutual agreement on hunting regulations for on-reservation hunting by tribal members. Tribes should not view the guidelines as inflexible. We believe that they provide appropriate opportunity to accommodate the reserved hunting rights and management authority of Indian tribes while also ensuring that the migratory game bird resource receives necessary protection. The conservation of this important international resource is paramount. Use of the guidelines is not required if a tribe wishes to observe the hunting regulations established by the State(s) in which the reservation is located.

Details Needed in Tribal Proposals

Tribes that wish to use the guidelines to establish special hunting regulations for the 2019–20 migratory game bird hunting season should submit a proposal that includes: (1) The requested migratory game bird hunting season dates and other details regarding the proposed regulations; (2) Harvest anticipated under the proposed regulations; and (3) Tribal capabilities to enforce migratory game bird hunting regulations. For those situations where it could be shown that failure to limit Tribal harvest could seriously impact the migratory game bird resource, we also request information on the methods employed to monitor harvest and any potential steps taken to limit level of harvest.

A tribe that desires the earliest possible opening of the migratory game bird season for nontribal members

should specify this request in its proposal, rather than request a date that might not be within the final Federal frameworks. Similarly, unless a tribe wishes to set more restrictive regulations than Federal regulations will permit for nontribal members, the proposal should request the same daily bag and possession limits and season length for migratory game birds that Federal regulations are likely to permit the States in the Flyway in which the reservation is located.

Tribal Proposal Procedures

We will publish details of tribal proposals for public review in later **Federal Register** documents. Because of the time required for review by us and the public, Indian tribes that desire special migratory game bird hunting regulations for the 2019–20 hunting season should submit their proposals no later than December 1, 2018. Tribes should direct inquiries regarding the guidelines and proposals to the appropriate Service Regional Office listed above under the caption Consolidation of Rulemaking Documents. Tribes that request special migratory game bird hunting regulations for tribal members on ceded lands should send a courtesy copy of the proposal to officials in the affected State(s).

Public Comments

The Department of the Interior's policy is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, we invite interested persons to submit written comments, suggestions, or recommendations regarding the proposed regulations. Before promulgation of final migratory game bird hunting regulations, we will take into consideration all comments we receive. Such comments, and any additional information we receive, may lead to final regulations that differ from these proposals.

You may submit your comments and materials concerning this proposed rule by one of the methods listed in **ADDRESSES**. We will not accept comments sent by email or fax or to an address not listed in **ADDRESSES**. Finally, we will not consider hand-delivered comments that we do not receive, or mailed comments that are not postmarked, by the date specified in **DATES**. We will post all comments in their entirety—including your personal identifying information—on *http://www.regulations.gov.* 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. Comments and materials we receive, as well as supporting documentation we used in preparing this proposed rule, will be available for public inspection on *http://www.regulations.gov,* or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Division of Migratory Bird Management, 5275 Leesburg Pike, Falls Church, VA 22041.

For each series of proposed rulemakings, we will establish specific comment periods. We will consider, but may not respond in detail to, each comment. As in the past, we will summarize all comments we receive during the comment period and respond to them after the closing date in any final rules.

National Environmental Policy Act (NEPA) Consideration

The programmatic document, ''Second Final Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (EIS 20130139),'' filed with the Environmental Protection Agency (EPA) on May 24, 2013, addresses NEPA compliance by the Service for issuance of the annual framework regulations for hunting of migratory game bird species. We published a notice of availability in the **Federal Register** on May 31, 2013 (78 FR 32686), and our Record of Decision on July 26, 2013 (78 FR 45376). We also address NEPA compliance for waterfowl hunting frameworks through the annual preparation of separate environmental assessments, the most recent being ''Duck Hunting Regulations for 2018–19,'' with its corresponding May 2018, finding of no significant impact. In addition, an August 1985 environmental assessment entitled ''Guidelines for Migratory Bird Hunting Regulations on Federal Indian Reservations and Ceded Lands'' is available from the address indicated under the caption **FOR FURTHER INFORMATION CONTACT**.

Endangered Species Act Consideration

Before issuance of the 2019–20 migratory game bird hunting regulations, we will comply with provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531–1543; hereinafter the Act), to ensure that hunting is not likely to jeopardize the continued existence of any species designated as endangered or threatened or modify or destroy its critical habitat and is consistent with conservation programs for those species. Consultations under section 7 of the Act may cause us to change proposals in this and future supplemental proposed rulemaking documents.

Regulatory Planning and Review (Executive Orders 12866 and 13563)

Executive Order (E.O.) 12866 provides that the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget (OMB) will review all significant rules. OIRA has reviewed this rule and has determined that this rule is significant because it would have an annual effect of $100 million or more on the economy.

E.O. 13563 reaffirms the principles of E.O. 12866 while calling for improvements in the nation's regulatory system to promote predictability, to reduce uncertainty, and to use the best, most innovative, and least burdensome tools for achieving regulatory ends. The executive order directs agencies to consider regulatory approaches that reduce burdens and maintain flexibility and freedom of choice for the public where these approaches are relevant, feasible, and consistent with regulatory objectives. E.O. 13563 emphasizes further that regulations must be based on the best available science and that the rulemaking process must allow for public participation and an open exchange of ideas. We have developed this rule in a manner consistent with these requirements.

An economic analysis was prepared for the 2019–20 season. This analysis was based on data from the 2011 National Hunting and Fishing Survey, the most recent year for which data are available (see discussion in Regulatory Flexibility Act section below). This analysis estimated consumer surplus for three alternatives for duck hunting (estimates for other species are not quantified due to lack of data). The alternatives are (1) issue restrictive regulations allowing fewer days than those issued during the 2018–19 season, (2) issue moderate regulations allowing more days than those in alternative 1, and (3) issue liberal regulations identical to the regulations in the 2018–19 season. For the 2018–19 season, we chose Alternative 3, with an estimated consumer surplus across all flyways of $334–$440 million with a mid-point estimate of $387 million. We also chose alternative 3 for the 2009–10 through 2017–18 seasons. We will select regulations for the 2019–20 season in

October. The 2019–20 analysis is part of the record for this rule and is available at *http://www.regulations.gov* at Docket No. FWS–HQ–MB–2018–0030.

Regulatory Flexibility Act

The annual migratory bird hunting regulations have a significant economic impact on substantial numbers of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). We analyzed the economic impacts of the annual hunting regulations on small business entities in detail as part of the 1981 cost-benefit analysis. This analysis was revised annually from 1990 through 1995. In 1995, the Service issued a Small Entity Flexibility Analysis (Analysis), which was subsequently updated in 1996, 1998, 2004, 2008, 2013, 2018, and 2019. The primary source of information about hunter expenditures for migratory game bird hunting is the National Hunting and Fishing Survey, which is generally conducted at 5-year intervals. The 2019 Analysis is based on the 2011 National Hunting and Fishing Survey and the U.S. Department of Commerce's County Business Patterns, from which it was estimated that migratory bird hunters would spend approximately $1.5 billion at small businesses in 2019. Copies of the Analysis are available upon request from the Division of Migratory Bird Management (see **FOR FURTHER INFORMATION CONTACT**) or from *http://www.regulations.gov* at Docket No. FWS–HQ–MB–2018–0030.

Clarity of the Rule

We are required by E.O. 12866 and 12988 and by the Presidential Memorandum of June 1, 1998, to write all rules in plain language. This means that each rule we publish must:

(a) Be logically organized;

(b) Use the active voice to address readers directly;

(c) Use clear language rather than jargon;

(d) Be divided into short sections and sentences; and

(e) Use lists and tables wherever possible.

If you feel that we have not met these requirements, send us comments by one of the methods listed in **ADDRESSES**. To better help us revise the rule, your comments should be as specific as possible. For example, you should tell us the numbers of the sections or paragraphs that are unclearly written, which sections or sentences are too long, the sections where you feel lists or tables would be useful, etc.

Small Business Regulatory Enforcement Fairness Act

This proposed rule is a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. For the reasons outlined above, this rule would have an annual effect on the economy of $100 million or more. However, because this rule would establish hunting seasons, we do not plan to defer the effective date under the exemption contained in 5 U.S.C. 808(1).

Paperwork Reduction Act

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. This rule does not contain any new collection of information that require approval by OMB under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). OMB has previously approved the information collection requirements associated with migratory bird surveys and the procedures for establishing annual migratory bird hunting seasons under the following OMB control numbers:

- 1018–0019, ''North American Woodcock Singing Ground Survey'' (expires 5/31/2018, and in accordance with 5 CFR 1320.10, an agency may continue to conduct or sponsor this collection of information while the submission is pending at OMB).
- 1018–0023, ''Migratory Bird Surveys, 50 CFR 20.20'' (expires 8/31/2020). Includes Migratory Bird Harvest Information Program, Migratory Bird Hunter Surveys, Sandhill Crane Survey, and Parts Collection Survey.
- 1018–0171, ''Establishment of Annual Migratory Bird Hunting Seasons, 50 CFR part 20'' (expires 06/30/2021)

Unfunded Mandates Reform Act

We have determined and certify, in compliance with the requirements of the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.,* that this proposed rulemaking would not impose a cost of $100 million or more in any given year on local or State government or private entities. Therefore, this rule is not a ''significant regulatory action'' under the Unfunded Mandates Reform Act.

Civil Justice Reform—Executive Order 12988

The Department, in promulgating this proposed rule, has determined that this proposed rule will not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of E.O. 12988.

Takings Implication Assessment

In accordance with E.O. 12630, this proposed rule, authorized by the Migratory Bird Treaty Act, does not have significant takings implications and does not affect any constitutionally protected property rights. This rule would not result in the physical occupancy of property, the physical invasion of property, or the regulatory taking of any property. In fact, this rule would allow hunters to exercise otherwise unavailable privileges and, therefore, reduce restrictions on the use of private and public property.

Energy Effects—Executive Order 13211

E.O. 13211 requires agencies to prepare Statements of Energy Effects when undertaking certain actions. While this proposed rule is a significant regulatory action under E.O. 12866, it is not expected to adversely affect energy supplies, distribution, or use. Therefore, this action is not a significant energy action and no Statement of Energy Effects is required.

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of April 29, 1994, ''Government-to-Government Relations with Native American Tribal Governments'' (59 FR 22951), E.O. 13175, and 512 DM 2, we have evaluated possible effects on Federally recognized Indian tribes and have determined that there are no effects on Indian trust resources. However, in this proposed rule, we solicit proposals for special migratory bird hunting regulations for certain tribes on Federal Indian reservations, off-reservation trust lands, and ceded lands for the 2019–20 migratory bird hunting season. The resulting proposals will be contained in a separate proposed rule. By virtue of these actions, we have consulted with tribes affected by this rule.

Federalism Effects

Due to the migratory nature of certain species of birds, the Federal Government has been given responsibility over these species by the Migratory Bird Treaty Act. We annually prescribe frameworks from which the States make selections regarding the hunting of migratory birds, and we employ guidelines to establish special regulations on Federal Indian reservations and ceded lands. This process preserves the ability of the States and tribes to determine which seasons meet their individual needs. Any State or Indian tribe may be more restrictive than the Federal frameworks at any time. The frameworks are

developed in a cooperative process with the States and the Flyway Councils. This process allows States to participate in the development of frameworks from which they will make selections, thereby having an influence on their own regulations. These rules do not have a substantial direct effect on fiscal capacity, change the roles or responsibilities of Federal or State governments, or intrude on State policy or administration. Therefore, in accordance with E.O. 13132, these regulations do not have significant federalism effects and do not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

Executive Order 13771—Reducing Regulation and Controlling Regulatory Costs

This action is not subject to Executive Order 13771 (82 FR 9339, February 3, 2017) because it is issued with respect to routine hunting and fishing activities.

List of Subjects in 50 CFR Part 20

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

Authority

The rules that eventually will be promulgated for the 2019–20 hunting season are authorized under 16 U.S.C. 703–711, 712, and 742 a–j.

Dated: May 11, 2018.

Susan Combs,

Senior Advisor to the Secretary, Exercising the Authority of the Assistant Secretary for Fish and Wildlife and Parks.

Proposed 2019–20 Migratory Game Bird Hunting Regulations (Preliminary)

Pending current information on populations, harvest, and habitat conditions, and receipt of recommendations from the four Flyway Councils, we may defer specific regulatory proposals. No changes from the 2018–19 frameworks in the Mississippi, Central, and Pacific Flyways are being proposed at this time. Other issues requiring early discussion, action, or the attention of the States or tribes are contained below:

1. Ducks

Categories used to discuss issues related to duck harvest management are: (A) General Harvest Strategy, (B) Regulatory Alternatives, (C) Zones and Split Seasons, and (D) Special Seasons/Species Management. Only those categories containing substantial recommendations are discussed below.

A. General Harvest Strategy

We propose to continue using adaptive harvest management (AHM) to help determine appropriate duck-hunting regulations for the 2019–20 season. AHM permits sound resource decisions in the face of uncertain regulatory impacts and provides a mechanism for reducing that uncertainty over time. We use AHM to evaluate four alternative regulatory levels for duck hunting in the Mississippi, Central, and Pacific Flyways based on the population status of mallards. We are proposing to use AHM based on the population status of a suite of four species in the Atlantic Flyway (see below). We have specific hunting strategies for species of special concern, such as black ducks, scaup, and pintails.

Mississippi, Central, and Pacific Flyways

The prescribed regulatory alternative for the Mississippi, Central, and Pacific Flyways is based on the status of mallard populations that contribute primarily to each Flyway. In the Central and Mississippi Flyways, we set hunting regulations based on the status and dynamics of mid-continent mallards. Mid-continent mallards are those breeding in central North America (Federal survey strata 13–18, 20–50, and 75–77, and State surveys in Minnesota, Wisconsin, and Michigan). In the Pacific Flyway, we set hunting regulations based on the status and dynamics of western mallards. Western mallards are those breeding in Alaska and the northern Yukon Territory (as based on Federal surveys in strata 1–12), and in California, Oregon, Washington, and British Columbia (as based on State- or Province-conducted surveys).

For the 2019–20 season, we recommend continuing to use independent optimization to determine the optimal regulatory choice for each mallard stock. This means that we would develop regulations for mid-continent mallards and western mallards independently, based upon the breeding stock that contributes primarily to each Flyway. We detailed implementation of this AHM decision framework for western and mid-continent mallards in the July 24, 2008, **Federal Register** (73 FR 43290).

Atlantic Flyway

Since 2000, the Service has used an AHM protocol based on the status of eastern mallards to establish the annual framework regulations for duck hunting seasons in the Atlantic Flyway. This protocol assumes that the mallard is an appropriate surrogate for other duck species in the Atlantic Flyway. By 2010 it was apparent that the biological models used in the AHM protocol were performing poorly in terms of accurately predicting the following year's eastern mallard breeding population, and this performance problem led to a comprehensive review of duck harvest management in the Atlantic Flyway. Following that review, the Atlantic Flyway Council (AFC) determined that eastern mallards do not adequately represent duck harvest dynamics throughout the entire flyway; they do not represent the breeding ecology and habitat requirements of other important Atlantic Flyway duck species because their breeding range does not overlap with that of other ducks that breed in the flyway; and their breeding and/or wintering habitat needs differ from many of the other duck species in the Flyway. Thus, although mallards comprise nearly 20 percent of the Atlantic Flyway's duck harvest, the status of eastern mallards does not necessarily reflect that of other Atlantic Flyway duck species. For example, mallards in eastern North America have declined at an annual rate of 1 percent since 1998, whereas over the same time period all other duck species in eastern North America for which robust population estimates are available are stable or increasing.

The AFC decided that a decision framework based upon a suite of duck species that better represents the habitat needs and harvest distribution of ducks in the Atlantic Flyway would be superior to the current eastern mallard AHM framework, and we concur. Accordingly, the Service and the AFC began working in 2013 to develop a multi-stock AHM protocol for setting annual duck hunting season frameworks for the Atlantic Flyway.

The multi-stock protocol development has now been completed, and we propose to adopt it in place of the eastern mallard AHM. The protocol is based on a suite of four species that represents the dynamics of duck harvest in the Atlantic Flyway and the various habitat types used by waterfowl throughout the Atlantic Flyway: Green-winged teal (*Anas crecca*), common goldeneye (*Bucephala clangula*), ring-necked duck (*Aythya collaris*), and wood duck (*Aix sponsa*). These species comprise more than 40 percent of the Atlantic Flyway's total duck harvest, and they reflect regional variation in harvest composition. The selected species represent upland nesters in boreal and southern Canada (green-winged teal), over-water nesters in boreal Canada (ring-necked duck),

cavity nesters in the United States and southern Canada (wood duck), and cavity nesters in boreal Canada (goldeneye). The most important winter waterfowl habitats in the Atlantic Flyway (salt marsh, freshwater marsh, tidal waters, freshwater ponds and lakes, rivers and streams) are important to at least one of these four species.

Species selection was also influenced by our need for sufficient time series of estimates of annual abundance and estimates of harvest rate or annual harvest. The proposed protocol has a harvest objective of no more than 98 percent of maximum sustainable long-term yield for any of the four species. Regulatory alternatives would be the same as those used in the eastern mallard AHM, except that the mallard bag limit would not be prescribed by the optimal regulatory alternative as determined by the multi-stock AHM protocol. Further details on biological models used in the protocol, data sources, optimization methods, and simulation results are available at *http://www.regulations.gov* and on our website at *https://www.fws.gov/birds/index.php.*

Although season length in the Atlantic Flyway would be determined by the proposed multi-stock protocol, the daily bag limit for black ducks will still be determined by the international black duck AHM harvest strategy. The mallard bag limit in the Atlantic Flyway will be based on a separate assessment of the harvest potential of eastern mallards.

Final 2019–20 AHM Protocol

We will detail the final AHM protocol for the 2019–20 season in the supplemental proposed rule, which we will publish in late August (see Schedule of Biological Information Availability, Regulations Meetings and **Federal Register** Publications for the 2019–20 Seasons at the end of this proposed rule for further information). We will propose a specific regulatory alternative in December for each of the Flyways to use for their 2019–20 seasons after status information becomes available in late August 2018.

B. Regulatory Alternatives

The basic structure of the current regulatory alternatives for AHM was adopted in 1997. In 2002, based upon recommendations from the Flyway Councils, we extended framework dates in the ''moderate'' and ''liberal'' regulatory alternatives by changing the opening date from the Saturday nearest October 1 to the Saturday nearest September 24, and by changing the closing date from the Sunday nearest January 20 to the last Sunday in January. These extended dates were made available with no associated penalty in season length or bag limits. At that time we stated our desire to keep these changes in place for 3 years to allow for a reasonable opportunity to monitor the impacts of framework-date extensions on harvest distribution and rates of harvest before considering any subsequent use (67 FR 12501; March 19, 2002).

For 2019–20, we propose to utilize the same regulatory alternatives that are in effect for the 2018–19 season (see accompanying table for specifics of the regulatory alternatives) for the Mississippi, Central, and Pacific Flyways. For the Atlantic Flyway, per our discussion above under section A. General Harvest Strategy, under the proposed multi-stock AHM protocol for the Atlantic Flyway, the mallard bag limit would not be prescribed by the regulatory alternative, but would instead be based on a separate assessment of the harvest potential of eastern mallards. We will propose a specific mallard bag limit for the Atlantic Flyway in December. Alternatives are specified for each Flyway and are designated as ''RES'' for the restrictive, ''MOD'' for the moderate, and ''LIB'' for the liberal alternative. Comments on the proposed alternatives will be accepted until July 18, 2018. Following receipt of public input, we will finalize the regulatory alternatives for each of the Flyways for the 2019–20 seasons in late-August 2018.

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PROPOSED REGULATORY ALTERNATIVES FOR DUCK HUNTING DURING THE 2019-20 SEASON

	ATLANTIC FLYWAY			MISSISSIPPI FLYWAY			CENTRAL FLYWAY (a)			PACIFIC FLYWAY (b)(c)		
	RES	MOD	LIB	RES	MOD	LIB	RES	MOD	LIB	RES	MOD	LIB
Beginning Shooting Time	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise	1/2 hr. before sunrise
Ending Shooting Time	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset	Sunset
Opening Date	Oct. 1	Sat. nearest Sept. 24	Sat. nearest Sept. 24	Sat. nearest Oct. 1	Sat. nearest Sept. 24	Sat. nearest Sept. 24	Sat. nearest Oct. 1	Sat. nearest Sept. 24	Sat. nearest Sept. 24	Sat. nearest Oct. 1	Sat. nearest Sept. 24	Sat. nearest Sept. 24
Closing Date	Jan. 20	Last Sunday in Jan.	Last Sunday in Jan.	Sun. nearest Jan. 20	Last Sunday in Jan.	Last Sunday in Jan.	Sun. nearest Jan. 20	Last Sunday in Jan.	Last Sunday in Jan.	Sun. nearest Jan. 20	Last Sunday in Jan.	Last Sunday in Jan.
Season Length (in days)	30	45	60	30	45	60	39	60	74	60	86	107
Daily Bag	3	6	6	3	6	6	3	6	6	4	7	7
Species/Sex Limits within the Overall Daily Bag Limit												
Mallard (Total/Female)	(d)	(d)	(d)	2/1	4/1	4/2	3/1	5/1	5/2	3/1	5/2	7/2

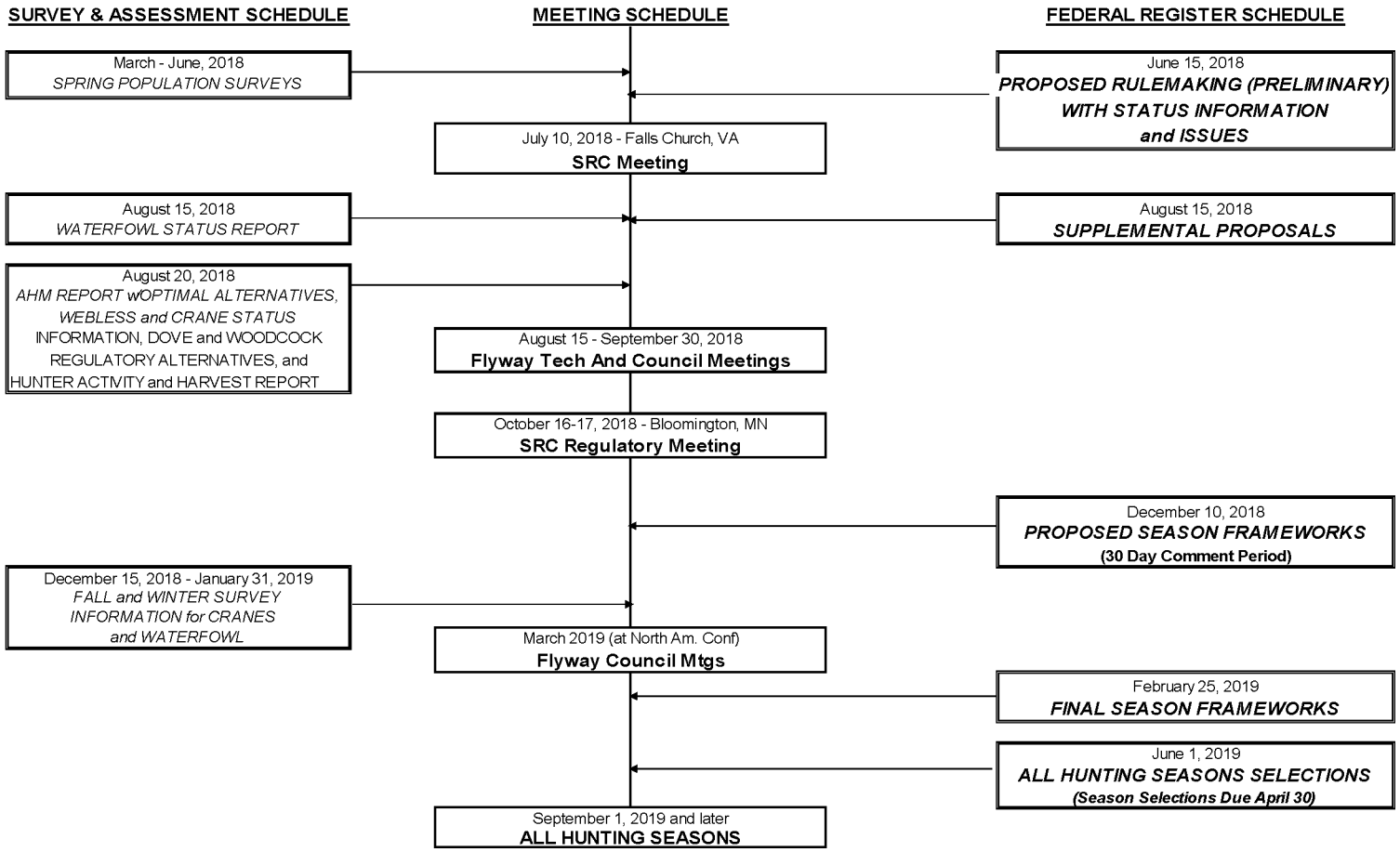
(a) In the High Plains Mallard Management Unit, all regulations would be the same as the remainder of the Central Flyway, with the exception of season length. Additional days would be allowed under the various alternatives as follows: restrictive - 12, moderate and liberal - 23. Under all alternatives, additional days must be on or after the Saturday nearest December 10.

(b) In the Columbia Basin Mallard Management Unit, all regulations would be the same as the remainder of the Pacific Flyway, with the exception of season length. Under all alternatives except the liberal alternative, an additional 7 days would be allowed.

(c) In Alaska, framework dates, bag limits, and season length would be different from the remainder of the Pacific Flyway. The bag limit (depending on the area) would be 5-8 under the restrictive alternative, and 7-10 under the moderate and liberal alternatives. Under all alternatives, season length would be 107 days and framework dates would be Sep. 1 - Jan. 26.

(d) Under the proposed multi-stock AHM protocol for the Atlantic Flyway, the mallard bag limit would not be prescribed by the regulatory alternative.

SCHEDULE OF BIOLOGICAL INFORMATION AVAILABILITY, REGULATIONS MEETINGS AND FEDERAL REGISTER PUBLICATIONS FOR THE 2019-20 SEASONS



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Part III

Federal Communications Commission

47 CFR Part 1

Assessment and Collection of Regulatory Fees for Fiscal Year 2018; Proposed Rule

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[MD Docket Nos. 18–175; FCC 18–65]

Assessment and Collection of Regulatory Fees for Fiscal Year 2018

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: In this document, the Federal Communications Commission (Commission) will revise its Schedule of Regulatory Fees in order to recover an amount of $322,035,000 that Congress has required the Commission to collect for fiscal year 2018, as amended, provides for the annual assessment and collection of regulatory fees under and respectively, for annual ''Mandatory Adjustments'' and ''Permitted Amendments'' to the Schedule of Regulatory Fees.

DATES: Submit comments on or before June 21, 2018, and reply comments on or before July 6, 2018.

ADDRESSES: You may submit comments, identified by MD Docket No. 18–175, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Federal Communications Commission's website: http://www.fcc.gov/cgb/ecfs.* Follow the instructions for submitting comments.
- *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.
- *Email: ecfs@fcc.gov.* Include MD Docket No. 15–121 in the subject line of the message.
- *Mail:* Commercial overnight mail (other than U.S. Postal Service Express Mail, and Priority Mail, must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street SW, Washington, DC 20554.

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: Roland Helvajian, Office of Managing Director at (202) 418–0444.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rulemaking* (NPRM), FCC 18–65, MD Docket No. 18–175 adopted on May 21, 2018 and released on May 22, 2018. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW, Room CY–A257, Portals II, Washington, DC 20554, and may also be purchased from the Commission's copy contractor, BCPI, Inc., Portals II, 445 12th Street SW, Room CY–B402, Washington, DC 20554. Customers may contact BCPI, Inc. via their website, *http://www.bcpi.com,* or call 1–800–378–3160. This document is available in alternative formats (computer diskette, large print, audio record, and braille). Persons with disabilities who need documents in these formats may contact the FCC by email: *FCC504@fcc.gov* or phone: 202–418–0530 or TTY: 202–418–0432.

I. Procedural Matters

A. Ex Parte Rules Permit-But-Disclose Proceeding

1. This *Notice of Proposed Rulemaking (FY 2018 NPRM)* 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 list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and 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 section 1.1206(b). In proceedings governed by section 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.

B. Comment Filing Procedures

2. *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 on the first page of this document. Comments may be filed using: (1) The Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings,* 63 FR 24121 (1998).

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECFS: *http://fjallfoss.fcc.gov/ecfs2/* or the Federal eRulemaking Portal: *http://www.regulations.gov.*
- *Paper Filers:* Parties who choose to file by paper must file an original and four copies 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.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th 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 must be disposed of *before* entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.

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 Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (tty).

3. *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 free online, via ECFS. Documents will be available electronically in ASCII, Word, and/or Adobe Acrobat.

4. *Accessibility Information.* To request information in accessible formats (computer diskettes, large print, audio recording, and Braille), send an email to *fcc504@fcc.gov* or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY). This document can also be downloaded in Word and Portable Document Format (''PDF'') at: *http://www.fcc.gov.*

C. Initial Regulatory Flexibility Analysis

5. An initial regulatory flexibility analysis (IRFA) is contained in this summary. Comments to the IRFA must be identified as responses to the IRFA and filed by the deadlines for comments on the Notice. The Commission will send a copy of the Notice, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration.

D. Initial Paperwork Reduction Act of 1995 Analysis

6. This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

II. Introduction

7. In this *Notice of Proposed Rulemaking,* we seek comment on the Commission's proposed regulatory fees for fiscal year (FY) 2018. We propose to collect $322,035,000 in regulatory fees for FY 2018, as detailed in the proposed fee schedules attached in Table 2.

III. Background

8. The Commission is required by Congress to assess regulatory fees each year in an amount that can reasonably be expected to equal the amount of its appropriation.[1] Regulatory fees, mandated by Congress, are collected ''to recover the costs of . . . enforcement activities, policy and rulemaking activities, user information services, and international activities.'' [2] Regulatory fees are to ''be derived by determining the full-time equivalent number of employees performing'' these activities, ''adjusted to take into account factors that are reasonably related to the benefits provided to the payer of the fee by the Commission's activities . . . .'' [3] Regulatory fees recover direct costs, such as salary and expenses; indirect costs, such as overhead functions; and support costs, such as rent, utilities, and equipment.[4] Regulatory fees also cover the costs incurred in regulating entities that are statutorily exempt from paying regulatory fees,[5] entities whose regulatory fees are waived,[6] and entities providing services for which we do not assess regulatory fees.

9. Congress sets the amount of regulatory fees the Commission must collect each year in the Commission's fiscal year appropriations. Section 9(a)(2) of the Communications Act of 1934, as amended (Communications Act or Act) requires the Commission to collect fees sufficient to offset the amount appropriated.[7] To calculate regulatory fees, the Commission allocates the total collection target across all regulatory fee categories. The allocation of fees to fee categories is based on the Commission's calculation of Full Time Employees (FTEs) in each regulatory fee category.[8] FTEs are classified as ''direct'' if the employee is in one of the four ''core'' bureaus; otherwise, that employee is considered an ''indirect'' FTE.[9] The total FTEs for each fee category includes the direct FTEs associated with that category, plus a proportional allocation of indirect FTEs.[10] The Commission then allocates the total amount to be collected among the various regulatory fee categories within each of the core bureaus. Each regulatee within a fee category pays its proportionate share based on an objective measure (*e.g.,* revenues or number of subscribers).[11] These calculations are illustrated in Table 1. The sources for the unit estimates that are used in these calculations are listed in Table 3.

10. The Commission annually reviews the regulatory fee schedule, proposes changes to the schedule to reflect changes in the amount of its appropriation, and proposes increases or decreases to the schedule of regulatory fees.[12] The Commission will make changes to the regulatory fee schedule ''if the Commission determines that the schedule requires amendment to comply with the requirements'' [13] of section 9(b)(1)(A) of the Act.[14] The Commission may also add, delete, or reclassify services in the fee schedule to reflect additions, deletions, or changes in the nature of its services ''as a consequence of Commission rulemaking proceedings or changes in law.'' [15]

11. As part of its annual review, the Commission regularly seeks to improve its regulatory fee analysis.[16] For

[1] 47 U.S.C. 159(b)(1)(B).

[2] 47 U.S.C. 159(a).

[3] 47 U.S.C. 159(b)(1)(A).

[4] *Assessment and Collection of Regulatory Fees for Fiscal Year 2004,* Report and Order, 19 FCC Rcd 11662, 11666, para. 11 (2004) (*FY 2004 Report and Order*).

[5] For example, governmental and nonprofit entities are exempt from regulatory fees under section 9(h). 47 U.S.C. 159(h); 47 CFR 1.1162.

[6] 47 CFR 1.1166.

[7] 47 U.S.C. 159(a)(2).

[8] One FTE is a unit of measure equal to the work performed annually by a full time person (working a 40 hour workweek for a full year) assigned to the particular job, and subject to agency personnel staffing limitations established by the U.S. Office of Management and Budget.

[9] The core bureaus, which have the direct FTEs, are the Wireline Competition Bureau (124), Wireless Telecommunications Bureau (101), Media Bureau (135), and part of the International Bureau (24). The indirect FTEs are the employees from the following bureaus and offices: Enforcement Bureau (203), Consumer & Governmental Affairs Bureau (136), Public Safety and Homeland Security Bureau (104), part of the International Bureau (72), part of the Wireline Competition Bureau (38), Chairman and Commissioners' offices (15), Office of the Managing Director (149), Office of General Counsel (74), Office of the Inspector General (46), Office of Communications Business Opportunities (8), Office of Engineering and Technology (73), Office of Legislative Affairs (9), Office of Strategic Planning and Policy Analysis (15), Office of Workplace Diversity (5), Office of Media Relations (14), and Office of Administrative Law Judges (4).

[10] The Commission observed in the *FY 2013 Report and Order* that ''the high percentage of the indirect FTEs is indicative of the fact that many Commission activities and costs are not limited to a particular fee category and instead benefit the Commission as a whole.'' *See Assessment and Collection of Regulatory Fees for Fiscal Year 2013,* Report and Order, 28 FCC Rcd 12351, 12357, para. 17 (2013) (*FY 2013 Report and Order*).

[11] *See Procedures for Assessment and Collection of Regulatory Fees,* Notice of Proposed Rulemaking, 27 FCC Rcd 8458, 8461–62, paras. 8–11 (2012) (*FY 2012 NPRM*).

[12] 47 U.S.C. 159(b)(1)(B).

[13] 47 U.S.C. 159(b)(2).

[14] 47 U.S.C. 159(b)(1)(A).

[15] 47 U.S.C. 159(b)(3).

[16] In the *FY 2013 Report and Order,* the Commission adopted updated FTE allocations to more accurately reflect the number of FTEs working on regulation and oversight of regulatees in the fee categories. *FY 2013 Report and Order,* 28 FCC Rcd at 12354–58, paras. 10–20. This was recommended in a report issued by the Government Accountability Office (GAO) in 2012. *See* GAO ''Federal Communications Commission Regulatory

Continued

example, in the *FY 2014 Report and Order,* the Commission adopted a new regulatory fee subcategory for toll free numbers within the Interstate Telecommunications Service Provider (ITSP) [17] category [18] and increased the de minimis threshold from $10 to $500 for annual regulatory fee payors.[19] In the *FY 2015 Report and Order,* the Commission adopted a regulatory fee for DBS, as a subcategory of the cable television and IPTV fee category,[20] and for toll-free numbers,[21] and reallocated four International Bureau FTEs from direct to indirect.[22] In the *FY 2016 Report and Order,* the Commission adjusted regulatory fees for radio and television broadcasters, based on the type and class of service and on the population served.[23] In the *FY 2017 Report and Order,* the Commission reallocated as indirect 38 FTEs in the Wireline Competition Bureau assigned to work on non-high cost programs of the Universal Service Fund.[24] The Commission also reallocated for regulatory fee purposes, four FTEs assigned to work on numbering issues from the Wireline Competition Bureau to the Wireless Telecommunications Bureau; [25] included non-common carrier terrestrial international bearer circuits (IBCs) in the regulatory fee methodology; [26] and increased the de minimis threshold to $1,000 for annual regulatory fee payors.[27] In this proceeding, the Commission again seeks to improve its regulatory fee analysis.

12. In this *Notice of Proposed Rulemaking,* we seek comment on regulatory fees for FY 2018, including an incremental increase in the DBS fee rate. We also seek comment on a new methodology for broadcast television regulatory fees for FY 2019, and a tiered rate structure for international bearer circuit fees. The Commission previously sought comment on a proposal for tiers in the *Further Notice of Proposed Rulemaking* attached to the *FY 2017 Report and Order,*[28] and we seek additional comment on this issue below.

IV. Notice of Proposed Rulemaking

A. Discussion—FY 2018 Regulatory Fees

13. In this *FY 2018 NPRM,* we seek comment on a regulatory fee schedule for FY 2018, pursuant to section 9 of the Communications Act,[29] in order to collect $322,035,000 in regulatory fees. These regulatory fees are mandated by Congress and are collected ''to recover the costs of . . . enforcement activities, policy and rulemaking activities, user information services, and international activities.'' [30] Of this amount, we project approximately $20.13 million (6.25 percent of the total FTE allocation) in fees from International Bureau regulatees; [31] $84.70 million (26.3 percent of the total FTE allocation) in fees from Wireless Telecommunications Bureau regulatees; [32] $103.99 million (32.29 percent of the total FTE allocation) from Wireline Competition Bureau regulatees; [33] and $113.22 million (35.16 percent of the total FTE allocation) from Media Bureau regulatees.[34] These regulatory fees are due in September 2018. We seek comment on the schedule of regulatory fees for FY 2018 in Table 2. For comparison purposes, the FY 2017 regulatory fee rates are listed in Table 5. We discuss and seek comment on several specific issues below.

1. Direct Broadcast Satellite (DBS) Regulatory Fees

14. DBS service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic dish antenna at the subscriber's location. The two DBS providers, AT&T and DISH Network, are multichannel video programming distributors (MVPDs).[35] The proposed fee schedule in Table 2 includes an updated regulatory fee for DBS, a subcategory in the cable television and IPTV category.[36]

15. In 2015, the Commission adopted an initial regulatory fee for DBS, as a subcategory in the cable television and IPTV category, of 12 cents per year per subscriber, or one cent per month.[37] This regulatory fee subcategory was based on Media Bureau FTE activity involving regulation and oversight of all MVPDs, which included DBS providers.[38] The Commission concluded there was no reasonable basis to continue to exclude DBS providers from sharing in the cost of MVPD oversight and regulation with cable television and IPTV.[39] The Commission also committed to updating the regulatory fee rate as necessary to ensure an appropriate level of regulatory fees due to the Media Bureau resources dedicated to regulation and oversight of MVPDs, including DBS.[40] Such examination reflected a GAO report, which recommended that the Commission ''regularly update analyses to ensure that fees are set based on

Fee Process Needs to be Updated,'' GAO–12–686 (Aug. 2012) (GAO Report) at 36, *http://www.gao.gov/products/GAO-12-686.* The Commission has since updated the FTE allocations annually. In addition, the Commission reallocated some FTEs from the International Bureau as indirect; combined the UHF and VHF television stations into one regulatory fee category; and added internet Protocol Television (IPTV) to the cable television regulatory fee category. *FY 2013 Report and Order,* 28 FCC Rcd at 12355–63, paras. 13–33.

[17] The ITSP category includes interexchange carriers (IXCs), incumbent local exchange carriers, toll resellers, and other IXC service providers.

[18] *Assessment and Collection of Regulatory Fees for Fiscal Year 2014,* Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 10767, 10777–79, paras. 25–28 (2014) (*FY 2014 Report and Order*).

[19] *FY 2014 Report and Order,* 29 FCC Rcd at 10774–76, paras. 18–21. The Commission also eliminated several categories from the regulatory fee schedule. *Id.,* 29 FCC Rcd at 10776–77, paras. 22–24.

[20] *Assessment and Collection of Regulatory Fees for Fiscal Year 2015,* Report and Order and Further Notice of Proposed Rulemaking, 30 FCC Rcd 10268, 10276–77, paras. 19–20 (2015) (*FY 2015 Report and Order*).

[21] *FY 2015 Report and Order,* 30 FCC Rcd at 10271–72, para. 9.

[22] *Id.,* 30 FCC Rcd at 10278, para. 24. The Commission also, in the *FY 2015 NPRM and Report and Order,* eliminated two fee categories. *See Assessment and Collection of Regulatory Fees for Fiscal Year 2015,* Notice of Proposed Rulemaking, Report and Order, and Order, 30 FCC Rcd 5354, 5361–62, paras. 19–22 (2015) (*FY 2015 NPRM and Report and Order*).

[23] *Assessment and Collection of Regulatory Fees for Fiscal Year 2016,* Report and Order, 31 FCC Rcd 10339, 10350–51, paras. 31–33 (2016) (*FY 2016 Report and Order*).

[24] *Assessment and Collection of Regulatory Fees for Fiscal Year 2017,* Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 7057, 7061–7064, paras. 9–15 (2017) (*FY 2017 Report and Order*).

[25] *FY 2017 Report and Order,* 32 FCC Rcd at 7064–65, paras. 16–17.

[26] *FY 2017 Report and Order,* 32 FCC Rcd at 7071–72, paras. 34–35.

[27] *Id.,* 32 FCC Rcd at 7072–74, paras. 38–42.

[28] *Id.,* 32 FCC Rcd at 7074–75, paras. 44–47. Comments on the Further Notice of Proposed Rulemaking were filed by CTIA, ITTA—the Voice of America's Broadband Providers (ITTA), CenturyLink/Level 3 Communications (CenturyLink), NCTA—the internet & Television Association and the American Cable Association (NCTA & ACA), and the Satellite Industry Association (SIA). Reply Comments were filed by AT&T Services, Inc. (AT&T) and the Submarine Cable Coalition. SIA noted that its comments were supported by all SIA members except AT&T. SIA Comments at 1.

[29] 47 U.S.C. 159.

[30] 47 U.S.C. 159(a).

[31] Includes satellites, earth stations, and international bearer circuits (submarine cable systems and satellite and terrestrial bearer circuits).

[32] Includes Commercial Mobile Radio Service (CMRS), CMRS messaging, Broadband Radio Service/Local Multipoint Distribution Service (BRS/LMDS), and multi-year wireless licensees.

[33] Includes ITSP and toll free numbers.

[34] Includes AM radio, FM radio, television (including low power and Class A), TV/FM translators and boosters, cable television and IPTV, DBS, and Cable Television Relay Service (CARS) licenses.

[35] MVPD is defined in section 602(13) of the Act, 47 U.S.C. 522(13).

[36] DBS also pays a regulatory fee per operational station in geostationary orbit.

[37] *FY 2015 Report and Order,* 30 FCC Rcd at 10276–77, paras. 19–20.

[38] *FY 2015 NPRM,* 30 FCC Rcd at 5367–68, para. 31.

[39] *FY 2015 NPRM,* 30 FCC Rcd at 5364–68, paras. 28–31.

[40] *FY 2015 Report and Order,* 30 FCC Rcd at 10277, para. 20.

relevant information.'' [41] In lieu of directly including DBS providers in the cable television/IPTV category, the Commission initially phased in the Media Bureau-based regulatory fee for DBS, starting at 12 cents per subscriber per year. Since then, the Commission has incrementally increased the DBS regulatory fee, bringing it closer to the per-subscriber rate paid by cable television and IPTV.

16. Based on our analysis of the cable television/IPTV category, we seek comment on whether Media Bureau resources devoted to MVPD proceedings, including DBS,[42] support further revising the DBS regulatory fee rate to continue to bring the DBS rate closer to the cable television/IPTV rate, which, for FY 2018, is proposed to be 77 cents per subscriber per year. Specifically, how many FTEs does the Media Bureau devote to DBS as compared to cable? How many FTEs does the Media Bureau devote to DBS as compared to IPTV? Are the regulations imposed on both cable and DBS similar, or does one distributor face a higher regulatory burden? Are the regulations imposed on both IPTV and DBS similar, or does one distributor face a higher regulatory burden? How do such regulations translate to FTEs? In addition to FTEs, the Act requires us to take into account ''factors that are reasonably related to the benefits provided to the payor of the fee by the Commission's activities'' [43] Do DBS operators benefit more or less from Commission-issued licenses than cable operators and IPTV providers? How does the Commission's long-standing commitment to competitive neutrality impact our rate calculations? Additionally, we have previously incrementally increased the DBS regulatory fee to avoid potential consumer rate shock. Does that concern remain valid?

17. We seek comment on a DBS regulatory fee rate of 48 cents per subscriber per year, as set forth in the proposed fee schedule in Table 2. We invite comment on whether the proposed rate is appropriate. Ultimately, this will be an increase of ten cents from the FY 2017 DBS rate. Is such an increase justified based on Commission resources allocated to DBS, and the related benefits provided to DBS providers by the Commission's activities? Or is such an increase inappropriate because there is a reasonable basis to differentiate between DBS providers and cable television and IPTV?

2. Broadcast Television Licenses, Post-Incentive Auction

18. On March 29, 2016, the Commission commenced the incentive auction to allow broadcast television stations to make their spectrum available for wireless broadband licensees. On April 13, 2017, the Commission released a Public Notice formally closing the auction,[44] and beginning the 39-month post-auction transition period during which some broadcast television stations will transition to new channel assignments and other stations will go off the air. Licensees who held a broadcast television station license on October 1, 2017 are reminded that they are responsible for regulatory fees for that license.[45] Licensees who have relinquished their licenses by September 30, 2017 are not responsible for regulatory fees for the cancelled license.[46]

3. Terrestrial and Satellite International Bearer Circuits

19. In 2009, the Commission adopted a new methodology for calculating submarine cable international bearer circuits regulatory fees by eliminating the distinction between common carriers and non-common carriers and assessing a flat per cable landing license fee [47] for all submarine cable systems, with higher fees for larger submarine cable systems and lower fees for smaller systems.[48] In the *Submarine Cable Order,* the Commission adopted a tiered system using gigabits per second (Gbps) increments (instead of 64 kbps).[49] The Commission did not revise the terrestrial and satellite IBC regulatory fee methodology then because of the ''complexity of the legal, policy and equity issues involved.'' [50]

20. In the *FY 2017 NPRM,* however, the Commission sought comment on a proposal to adopt a tiered regulatory fee rate structure for all terrestrial and satellite IBCs, similar to the submarine cable tiered regulatory fee methodology, based on capacity [51] and including both common carrier and non-common carrier IBCs.[52] In the *FY 2017 Report and Order,* the Commission concluded that a methodology for terrestrial and satellite IBC regulatory fees based on active circuits should be consistent with the submarine cable methodology and include common carrier and non-common carrier terrestrial IBCs.[53] In our *Further Notice of Proposed Rulemaking,* we sought comment on a tiered methodology for terrestrial and satellite IBCs.[54] We proposed adopting, for terrestrial and satellite IBCs, the five tiers adopted for submarine cable systems.

21. CenturyLink[55] contends that we should adopt the two-tier methodology proposed earlier by Level 3.[56] CenturyLink argues that a two-tier system is sufficient to ensure that the satellite and terrestrial IBC regulatory fees do not serve as a barrier to entry for smaller providers while ensuring that the larger providers pay a fair and equitable portion of regulatory fees.[57] According to CenturyLink, a two-tier system would reduce the incentive to

[41] GAO Report at 12, *http://www.gao.gov/products/GAO-12-686.*

[42] *See, e.g., Electronic Delivery of MVPD Communications, Modernization of Media Regulations Initiative,* Notice of Proposed Rulemaking, 32 FCC Rcd 10755 (2017); *Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010,* Report and Order, 32 FCC Rcd 5962 (2017); *Expanding Consumers' Video Navigation Choices, Commercial Availability of Navigation Devices,* Notice of Proposed Rulemaking and Memorandum Opinion and Order, 31 FCC Rcd 1544 (2016); *Promoting the Availability of Diverse and Independent Sources of Video Programming,* Notice of Inquiry, 31 FCC Rcd 1610 (2016); *Expansion of Online Public File Obligations to Cable and Satellite TV Operators and Broadcast and Satellite Radio Licensees,* Report and Order, 31 FCC Rcd 526 (2016).

[43] 47 CFR 159(b)(1)(A).

[44] *Incentive Auction Closing and Channel Reassignment Public Notice,* Public Notice, 32 FCC Rcd 2786 (MB, WTB 2017).

[45] *See infra* Section V.A.5, entitled ''Standard Fee Calculation and Payment Dates.''

[46] Cancelled licenses from May 31, 2017 through September 30, 2017 are, according to the Commission's records, the following call signs: KSPR, WIFR, WAGT, WDLP–CD, WEMM–CD, KMMA–CD, WAZF–CD, WLPH–CD, WQVC–CD, WQCH–CD, WBOA–CD, WMUN–CD, WTSD–CD, WATA–CD, WHTV, WMEI, WWIS–CD.

[47] The prior rule assessed regulatory fees on common carriers based on the number of active circuits. *See, e.g., Assessment and Collection of Regulatory Fees for Fiscal Year 1996,* Report and Order, 11 FCC Rcd 18774, 18795, para. 58 (1996) (assessing IBC fees on facilities-based common carriers activating a circuit in any transmission facility).

[48] *Assessment and Collection of Regulatory Fees for Fiscal Year 2008,* Second Report and Order, 24 FCC Rcd 4208, 4213–16, paras. 9–17 (2009) (*Submarine Cable Order*).

[49] *Submarine Cable Order,* 24 FCC Rcd at 4215–16, para. 16. Sixty-Four Kbps is the unit of measurement for voice grade circuits; submarine cable, terrestrial, and satellite international bearer circuits are now largely used for data.

[50] *Assessment and Collection of Regulatory Fees for Fiscal Year 2009,* Report and Order, 24 FCC Rcd 10301, 10306–07, paras. 16–17 (2009).

[51] The submarine cable fee is based on capacity per system; the terrestrial and satellite international bearer circuit regulatory fee would be based on overall active circuits.

[52] *FY 2017 NPRM,* 32 FCC Rcd at 4536–38, paras. 23–27.

[53] *FY 2017 Report and Order,* 32 FCC Rcd at 7071–72, para. 34.

[54] *Id.,* 32 FCC Rcd at 7074–75, paras. 44–47.

[55] CenturyLink now owns Level 3. *See* Press Release, ''CenturyLink completes acquisition of Level 3,'' November 1, 2017, *http://ir.centurylink.com/file/Index?KeyFile=390889600.*

[56] CenturyLink Comments at 3–5.

[57] CenturyLink Comments at 4.

underreport and would be less burdensome because a carrier would be able to easily determine which tier it falls into, without having to count each of its circuits annually.[58] AT&T supports a multi-tiered rate structure and contends that, due to the wide disparity in satellite and terrestrial providers' IBC circuit volumes, a two-tiered fee structure would likely result in fee increases for smaller carriers.[59]

22. SIA opposes a tiered approach for satellite IBC regulatory fees and contends that a tiered rate structure would result in ''massive overcharges'' and is ''arbitrary and capricious.'' [60] We recognize SIA's concerns that a tiered rate structure such as that proposed by Level 3 could result in higher fees if carriers with fewer active circuits are grouped with carriers with a much larger quantity of active circuits. The multi-tier rate structure would take that concern into consideration and be designed to ensure that providers' fees are assessed at an appropriate level, based on the number of active circuits. A multi-tier rate structure would be based on the number of active circuits, but grouped into levels or tiers. This would be more equitable than a two-tiered system because it better takes into account the quantity of active circuits of each regulatee when determining a fee payment. This fee structure would be less burdensome to calculate because the service providers would not have to count each active circuit on December 31 of each year (as long as they know which tier they are in), yet this fee structure is also ''reasonably related to the benefits provided to the payer of the fee by the Commission's activities . . . .'' [61] As the Commission observed when adopting a five-tier fee structure for submarine cable, the tiered methodology will be competitively neutral, easier for the Commission to administer, and promote better compliance by providers.[62]

23. We do not, however, have sufficient information at this time to establish an appropriate tier structure for terrestrial and satellite IBCs. In the *FY 2017 Report and Order,* we determined that IBCs should be assessed regulatory fees for non-common carrier as well as common carrier terrestrial circuits. We do not yet have information on the number of non-common carrier terrestrial circuits for which fees will be paid. The number of non-common carrier terrestrial circuits will affect the rate and the rate structure of the tiers for this category. Consequently, for FY 2018, we will continue to assess the fee on a per-circuit basis, although we propose to use Gbps as the measurement rather than 64 kbps. In Table 2, we list the proposed per-circuit rate for IBCs for FY 2018. With the information we will obtain from payors in September 2018, we should have sufficient information to be able to propose a tiered rate structure for FY 2019, and we seek comment on any other issues that commenters believe we should consider when making such a proposal.

B. Methodology for FY 2019 Regulatory Fee Calculations

1. Broadcast Television Stations

24. Full service television station licensees are subject to regulatory fee payments based on the market served. Broadcast full service television stations pay regulatory fees based on the schedule of regulatory fees established in section 9(g) of the Communications Act, which consolidated stations into market groupings 1–10, 11–25, 26–50, 51–100, and remaining markets.[63] The Commission subsequently established a separate fee category for satellite television stations.[64] The Commission uses Nielsen Designated Market Areas (DMAs) to define the market a station serves. For FY 2017, the regulatory fees for full service stations ranged from $1,725, for satellite stations, to $59,750, for stations in markets 1–10.

25. We seek comment on whether we can more accurately ascertain the actual market served by a station for purposes of assessing regulatory fees by examining the actual population covered by the station's contours rather than using DMAs. If adopted, this proposal would constitutes a permitted amendment as defined in section 9(b)(3) of the Act,[65] and pursuant to section 9(b)(4)(B), it must be submitted to Congress at least 90 days before it would become effective.[66] As such, we seek comment on whether, for FY 2019, regulatory fees should be assessed for full-power broadcast television stations based on the population covered by the station's contour, instead of DMAs. Such an approach is consistent with the methodology used for AM and FM broadcasters, in which fees are based on population served and the class of service based on the signal contours defined in Table 4. In addition, this proposal would address concerns about the assessment of regulatory fees for broadcast television satellite stations.[67] We seek comment on whether this proposal would ''take into account factors that are reasonably related to the benefits provided to the payer of the fee by the Commission's activities . . . .'' [68] Commenters should also discuss whether this new methodology would more accurately reflect a station's actual market. We believe that this population-based approach would allow us to take into account the lower population served by stations located in the fringes of a DMA. We seek comment on this view. Alternatively, do DMAs, which account for MVPD carriage, better reflect a television station's reach, or is there some other method by which we should calculate broadcast television regulatory fees? Commenters should also discuss whether, if we adopt this approach, we should phase in the implementation of this methodology over a two-year, or longer, period of time. For example, we could limit an increase or decrease in regulatory fees for the first year of implementation.

26. If adopted, this proposal would enable broadcasters to review population data for their service area. The data would be extracted from the TVStudy database, based on a station's projected noise-limited service contour, consistent with our rules.[69] An example from existing data is attached as Table 6. *https://www.fcc.gov/media/television/video-division* We would multiply the population by a factor for which we would seek comment, *e.g.,* 0.63 cents ($.0063). We would, in our annual Notice of Proposed Rulemaking, refer broadcasters to the population data and the factor proposed so that they could determine how their regulatory fees would be calculated.

27. Alternatively, we seek comment on whether, under the proposed methodology, we should calculate regulatory fees based on the specific population covered by the contour for each station, or whether we should group broadcast stations into tiers, based on the population, with the same

[58] CenturyLink Comments at 4–5.

[59] AT&T Reply Comments at 3–4; AT&T Jan. 19, 2018 ex parte at 1.

[60] SIA Comments at 5–6.

[61] 47 U.S.C. 159(b)(1)(A).

[62] *Submarine Cable Order,* 24 FCC Rcd at 4213, paras. 9–10.

[63] 47 U.S.C. 159(g).

[64] *Assessment and Collection of Regulatory Fees for Fiscal Year 1995,* Report and Order, 10 FCC Rcd 13512, 13534, para. 60 (1995).

[65] 47 U.S.C. 159(b)(3).

[66] 47 U.S.C. 159(b)(4)(B).

[67] *See, e.g., FY 2017 NPRM,* 32 FCC Rcd at 4534–36, paras. 20–22 (discussing concerns about the regulatory fees assessed on broadcast satellite television stations serving small markets at the fringe of larger DMAs).

[68] 47 U.S.C. 159(b)(1)(A). When section 9 was adopted, the total FTEs were to be calculated based on the number of FTEs in the Private Radio Bureau, Mass Media Bureau, and Common Carrier Bureau. (The names of these bureaus were subsequently changed.) Satellites and submarine cable were regulated through the Common Carrier Bureau before the International Bureau was created.

[69] 47 CFR 73.622(e).

regulatory fee for each station within a group or tier. Commenters supporting a tiered approach should discuss how many tiers would be reasonable. For example, would the tiers currently used for AM and FM broadcasters (<25,000, 25,001–75,000, 75,001–150,000, 150,001–500,000, 500,001–1,200,000, 1,200,001–3,000,000, 3,000,001–6,000,00, >6,000,000) be reasonable?

28. We tentatively conclude that revising our methodology for assessing regulatory fees for broadcast television stations would be a permitted amendment as defined in section 9(b)(3) of the Act,[70] and pursuant to section 9(b)(4)(B), it must be submitted to Congress at least 90 days before it would become effective.[71] Therefore, for FY 2018, we will assess regulatory fees for all broadcast television stations using the same methodology as we did for FY 2017. The proposed regulatory fees for broadcast television stations for FY 2018 are in Table 2.

2. Small Satellites

29. The Commission recently proposed revisions to our rules to facilitate commercial deployment of a class of satellites known colloquially as ''small satellites.'' [72] Small satellites typically have a number of characteristics that distinguish them from traditional non-geostationary satellite orbit (NGSO) satellite systems, such as having a lower mass, shorter duration mission, and more limited spectrum needs. The proposed rules are designed to lower the regulatory burden involved in licensing small satellites and reduce application processing times. Because we expect that small satellite applications will take less time and fewer Commission resources to process than traditional satellite systems, the Commission, in the *Small Satellite NPRM,* proposed to establish a new fee for small satellite applications of $30,000—well below the application fee of $454,705 for Low-Earth Orbit Satellite Systems.[73] Consistent with development of a new application fee for small satellites, we seek comment on whether, for FY 2019, we should adopt a new regulatory fee category for small satellites. Entities authorized to operate NGSO systems under Part 25 of our rules currently must pay an annual regulatory fee which, for FY 2017, was $135,350 per operational system.[74] We seek comment on whether the regulatory fee for small satellites should be 1/20th of the regulatory fee currently applicable to NGSO systems, consistent with the ratio of the application fee proposed for small satellites to the application fee currently applicable to NGSO systems. In discussing the appropriate regulatory fee for small satellites, commenters should take into consideration that this is a new industry sector typically involving relatively low-cost systems, as compared with traditional satellite systems, and a high regulatory fee could limit the commercial applications of small satellites.

30. We tentatively conclude that adopting a new regulatory fee category for small satellites would be a permitted amendment as defined in section 9(b)(3) of the Act,[75] and pursuant to section 9(b)(4)(B), it must be submitted to Congress at least 90 days before it would become effective.[76]

V. Procedural Matters

A. Payment of Regulatory Fees

1. Checks Will Not Be Accepted for Payment of Annual Regulatory Fees

31. Pursuant to an Office of Management and Budget (OMB) directive,[77] the Commission is moving towards a paperless environment, extending to disbursement and collection of select federal government payments and receipts.[78] In 2015, the Commission stopped accepting checks (including cashier's checks and money orders) and the accompanying hardcopy forms (*e.g.,* Forms 159, 159–B, 159–E, 159–W) for the payment of regulatory fees.[79] All regulatory fee payments must be made by online Automated Clearing House (ACH) payment, online credit card, or wire transfer. Any other form of payment (*e.g.,* checks, cashier's checks, or money orders) will be rejected. For payments by wire, a Form 159–E should still be transmitted via fax so that the Commission can associate the wire payment with the correct regulatory fee information.

2. Credit Card Transaction Levels

32. Since June 1, 2015, in accordance with U.S. Treasury Announcement No. A–2014–04 (July 2014), the amount that can be charged on a credit card for transactions with federal agencies has is $24,999.99.[80] Transactions greater than $24,999.99 will be rejected. This limit applies to single payments or bundled payments of more than one bill. Multiple transactions to a single agency in one day may be aggregated and treated as a single transaction subject to the $24,999.99 limit. Customers who wish to pay an amount greater than $24,999.99 should consider available electronic alternatives such as Visa or MasterCard debit cards, ACH debits from a bank account, and wire transfers. Each of these payment options is available after filing regulatory fee information in Fee Filer. Further details will be provided regarding payment methods and procedures at the time of FY 2018 regulatory fee collection in Fact Sheets, available at *https://www.fcc.gov/regfees.*

3. Payment Methods

33. During the fee season for collecting FY 2018 regulatory fees, regulatees can pay their fees by credit card through *Pay.gov,*[81] ACH, debit card,[82] or by wire transfer. Additional payment instructions are posted on the Commission's website at *http://transition.fcc.gov/fees/regfees.html.* The receiving bank for all wire payments is the U.S. Treasury, New York, New York. When making a wire transfer, regulatees must fax a copy of their Fee Filer generated Form 159–E to the Federal Communications Commission at (202) 418–2843 at least one hour before initiating the wire transfer (but on the

[70] 47 U.S.C. 159(b)(3).

[71] 47 U.S.C. 159(b)(4)(B).

[72] *Streamlining Licensing Procedures for Small Satellites,* IB Docket No. 18–86, Notice of Proposed Rulemaking, FCC 18–44 (2018) (*Small Satellite NPRM*).

[73] *Id.* at para. 76 (estimating that ''a fee of $30,000 would likely recover the costs to the Commission to process these applications'').

[74] *Assessment and Collection of Regulatory Fees for Fiscal Year 2017,* Report and Order and Further Notice of Proposed Rulemaking, 32 FCC Rcd 7057, 7088, Appendix C (2017).

[75] 47 U.S.C. 159(b)(3).

[76] 47 U.S.C. 159(b)(4)(B).

[77] Office of Management and Budget (OMB) Memorandum M–10–06, Open Government Directive, Dec. 8, 2009; *see also http://www.whitehouse.gov/the-press-office/2011/06/13/executive-order-13576-delivering-efficient-effective-and-accountable-gov.*

[78] *See* U.S. Department of the Treasury, Open Government Plan 2.1, Sept. 2012.

[79] *FY 2015 Report and Order,* 30 FCC Rcd at 10282–83, para. 35. *See* 47 CFR 1.1158.

[80] Customers who owe an amount on a bill, debt, or other obligation due to the federal government are prohibited from splitting the total amount due into multiple payments. Splitting an amount owed into several payment transactions violates the credit card network and Fiscal Service rules. An amount owed that exceeds the Fiscal Service maximum dollar amount, $24,999.99, may not be split into two or more payment transactions in the same day by using one or multiple cards. Also, an amount owed that exceeds the Fiscal Service maximum dollar amount may not be split into two or more transactions over multiple days by using one or more cards.

[81] In accordance with U.S. Treasury Financial Manual Announcement No. A–2014–04 (July 2014), the amount that may be charged on a credit card for transactions with federal agencies has been reduced to $24,999.99.

[82] In accordance with U.S. Treasury Financial Manual Announcement No. A–2012–02, the maximum dollar-value limit for debit card transactions is eliminated. Only Visa and MasterCard branded debit cards are accepted by *Pay.gov.*

same business day) so as not to delay crediting their account. Regulatees should discuss arrangements (including bank closing schedules) with their bankers several days before they plan to make the wire transfer to allow sufficient time for the transfer to be initiated and completed before the deadline. Complete instructions for making wire payments are posted at *http://transition.fcc.gov/fees/wiretran.html.*

4. De Minimis Regulatory Fees

34. Under the Commission's de minimis rule for regulatory fee payments, a regulatee is exempt from paying regulatory fees if the sum total of all of its annual regulatory fee liabilities is $1,000 or less for the fiscal year. The de minimis threshold applies only to filers of annual regulatory fees, not regulatory fees paid through multi-year filings, and it is not a permanent exemption. Each regulatee will need to reevaluate the total annual fee liability each fiscal year to determine whether they meet the de minimis exemption.

5. Standard Fee Calculations and Payment Dates

35. The Commission will accept fee payments made in advance of the window for the payment of regulatory fees. The responsibility for payment of fees by service category is as follows:

• *Media Services:* Regulatory fees must be paid for initial construction permits that were granted on or before October 1, 2017 for AM/FM radio stations, VHF/UHF full service television stations, and satellite television stations. Regulatory fees must be paid for all broadcast facility licenses granted on or before October 1, 2017.

• *Wireline (Common Carrier) Services:* Regulatory fees must be paid for authorizations that were granted on or before October 1, 2017. In instances where a permit or license is transferred or assigned after October 1, 2017, responsibility for payment rests with the holder of the permit or license as of the fee due date. Audio bridging service providers are included in this category.[83] For Responsible Organizations (RespOrgs) that manage Toll Free Numbers (TFN), regulatory fees should be paid on all working, assigned, and reserved toll free numbers as well as toll free numbers in any other status as defined in section 52.103 of the Commission's rules.[84] The unit count should be based on toll free numbers managed by RespOrgs on or about December 31, 2017.

• *Wireless Services:* CMRS cellular, mobile, and messaging services (fees based on number of subscribers or telephone number count): Regulatory fees must be paid for authorizations that were granted on or before October 1, 2017. The number of subscribers, units, or telephone numbers on December 31, 2017 will be used as the basis from which to calculate the fee payment. In instances where a permit or license is transferred or assigned after October 1, 2017, responsibility for payment rests with the holder of the permit or license as of the fee due date.

• *Wireless Services, Multi-year fees:* The first eight regulatory fee categories in our Schedule of Regulatory Fees pay ''small multi-year wireless regulatory fees.'' Entities pay these regulatory fees in advance for the entire amount period covered by the five-year or ten-year terms of their initial licenses, and pay regulatory fees again only when the license is renewed or a new license is obtained. We include these fee categories in our rulemaking to publicize our estimates of the number of ''small multi-year wireless'' licenses that will be renewed or newly obtained in FY 2018.

• *Multichannel Video Programming Distributor Services (cable television operators, CARS licensees, DBS, and IPTV):* Regulatory fees must be paid for the number of basic cable television subscribers as of December 31, 2017.[85] Regulatory fees also must be paid for CARS licenses that were granted on or before October 1, 2017. In instances where a permit or license is transferred or assigned after October 1, 2017, responsibility for payment rests with the holder of the permit or license as of the fee due date. For providers of Direct Broadcast Satellite (DBS) service and IPTV-based MVPDs, regulatory fees should be paid based on a subscriber count on or about December 31, 2017. In instances where a permit or license is transferred or assigned after October 1, 2017, responsibility for payment rests with the holder of the permit or license as of the fee due date.

• *International Services:* Regulatory fees must be paid for (1) earth stations and (2) geostationary orbit space stations and non-geostationary orbit satellite systems that were licensed and operational on or before October 1, 2017. In instances where a permit or license is transferred or assigned after October 1, 2017, responsibility for payment rests with the holder of the permit or license as of the fee due date.

• *International Services (Submarine Cable Systems):* Regulatory fees for submarine cable systems are to be paid on a per cable landing license basis based on circuit capacity as of December 31, 2017. In instances where a license is transferred or assigned after October 1, 2017, responsibility for payment rests with the holder of the license as of the fee due date. For regulatory fee purposes, the allocation in FY 2018 will remain at 87.6 percent for submarine cable and 12.4 percent for satellite/terrestrial facilities.

• *International Services (Terrestrial and Satellite Services*): Regulatory fees for Terrestrial and Satellite IBCs are to be paid based on active (used or leased) international bearer circuits as of December 31, 2017 in any terrestrial or satellite transmission facility for the provision of service to an end user or resale carrier. When calculating the number of such active circuits, entities must include circuits used by themselves or their affiliates. For these purposes, ''active circuits'' include backup and redundant circuits as of December 31, 2017. Whether circuits are used specifically for voice or data is not relevant for purposes of determining that they are active circuits.[86] In instances where a permit or license is transferred or assigned after October 1, 2017, responsibility for payment rests with the holder of the permit or license as of the fee due date. For regulatory fee purposes, the allocation in FY 2018 will remain at 87.6 percent for submarine cable and 12.4 percent for satellite/terrestrial facilities.

B. Commercial Mobile Radio Service (CMRS) and Mobile Services Assessments

36. The Commission will compile data from the Numbering Resource Utilization Forecast (NRUF) report that is based on ''assigned'' telephone number (subscriber) counts that have been adjusted for porting to net Type 0

[83] Audio bridging services are toll teleconferencing services.

[84] 47 CFR 52.103.

[85] Cable television system operators should compute their number of basic subscribers as follows: Number of single family dwellings + number of individual households in multiple dwelling unit (apartments, condominiums, mobile home parks, etc.) paying at the basic subscriber rate + bulk rate customers + courtesy and free service. **Note:** Bulk-Rate Customers = Total annual bulk-rate charge divided by basic annual subscription rate for individual households. Operators may base their count on ''a typical day in the last full week'' of December 2017, rather than on a count as of December 31, 2017.

[86] We encourage terrestrial and satellite service providers to seek guidance from the International Bureau's Telecommunications and Analysis Division to verify their particular IBC reporting processes to ensure that their calculation methods comply with our rules.

ports (''in'' and ''out'').[87] This information of telephone numbers (subscriber count) will be posted on the Commission's electronic filing and payment system (Fee Filer) along with the carrier's Operating Company Numbers (OCNs).

37. A carrier wishing to revise its telephone number (subscriber) count can do so by accessing Fee Filer and follow the prompts to revise their telephone number counts. Any revisions to the telephone number counts should be accompanied by an explanation or supporting documentation.[88] The Commission will then review the revised count and supporting documentation and either approve or disapprove the submission in Fee Filer. If the submission is disapproved, the Commission will contact the provider to afford the provider an opportunity to discuss its revised subscriber count and/or provide additional supporting documentation. If we receive no response from the provider, or we do not reverse our initial disapproval of the provider's revised count submission, the fee payment must be based on the number of subscribers listed initially in Fee Filer. Once the timeframe for revision has passed, the telephone number counts are final and are the basis upon which CMRS regulatory fees are to be paid. Providers can view their final telephone counts online in Fee Filer. A final CMRS assessment letter will not be mailed out.

38. Because some carriers do not file the NRUF report, they may not see their telephone number counts in Fee Filer. In these instances, the carriers should compute their fee payment using the standard methodology that is currently in place for CMRS Wireless services (*i.e.,* compute their telephone number counts as of December 31, 2017), and submit their fee payment accordingly. Whether a carrier reviews its telephone number counts in Fee Filer or not, the Commission reserves the right to audit the number of telephone numbers for which regulatory fees are paid. In the event that the Commission determines that the number of telephone numbers that are paid is inaccurate, the Commission will bill the carrier for the difference between what was paid and what should have been paid.

C. Enforcement

39. To be considered timely, regulatory fee payments must be made electronically by the payment due date for regulatory fees. Section 9(c) of the Act requires us to impose a late payment penalty of 25 percent of the unpaid amount to be assessed on the first day following the deadline for filing these fees.[89] Failure to pay regulatory fees and/or any late penalty will subject regulatees to sanctions, including those set forth in section 1.1910 of the Commission's rules,[90] which generally requires the Commission to withhold action on ''applications, including on a petition for reconsideration or any application for review of a fee determination, or requests for authorization by any entity found to be delinquent in its debt to the Commission'' and in the DCIA.[91] We also assess administrative processing charges on delinquent debts to recover additional costs incurred in processing and handling the debt pursuant to the DCIA and section 1.1940(d) of the Commission's rules.[92] These administrative processing charges will be assessed on any delinquent regulatory fee, in addition to the 25 percent late charge penalty. In the case of partial payments (underpayments) of regulatory fees, the payor will be given credit for the amount paid, but if it is later determined that the fee paid is incorrect or not timely paid, then the 25 percent late charge penalty (and other charges and/or sanctions, as appropriate) will be assessed on the portion that is not paid in a timely manner.

40. In addition to financial penalties, section 9(c)(3) of the Act,[93] and section 1.1164(f) of the Commission's rules [94] grant the FCC the authority to revoke authorizations for failure to pay regulatory fees in a timely fashion. Should a fee delinquency not be rectified in a timely manner the Commission may require the licensee to file with documented evidence within sixty (60) calendar days that full payment of all outstanding regulatory fees has been made, plus any associated penalties as calculated by the Secretary of Treasury in accordance with section 1.1164(a) of the Commission's rules,[95] or show cause why the payment is inapplicable or should be waived or deferred. Failure to provide such evidence of payment or to show cause within the time specified may result in revocation of the station license.[96]

41. Pursuant to the ''red light rule,'' we will withhold action on any applications or other requests for benefits filed by anyone who is delinquent in any non-tax debts owed to the Commission (including regulatory fees) and will ultimately dismiss those applications or other requests if payment of the delinquent debt or other satisfactory arrangement for payment is not made.[97] Failure to pay regulatory fees can also result in the initiation of a proceeding to revoke any and all authorizations held by the entity responsible for paying the delinquent fee(s).[98]

VI. Additional Tables

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

TABLE 1—CALCULATION OF FY 2018 REVENUE REQUIREMENTS AND PRO-RATA FEES

Fee category	FY 2018 payment units	Years	FY 2017 revenue estimate	Pro-rated FY 2018 revenue requirement	Computed FY 2018 regulatory fee	Rounded FY 2018 regulatory fee	Expected FY 2018 revenue
PLMRS (Exclusive Use)	340	10	325,000	85,000	25	25	85,000
PLMRS (Shared use)	12,500	10	1,600,000	1,250,000	10	10	1,250,000
Microwave	7,750	10	2,950,000	1,937,500	25	25	1,937,500
Marine (Ship)	7,150	10	1,215,000	1,072,500	15	15	1,072,500

[87] *See Assessment and Collection of Regulatory Fees for Fiscal Year 2005,* Report and Order and Order on Reconsideration, 20 FCC Rcd 12259, 12264, paras. 38–44 (2005).

[88] In the supporting documentation, the provider will need to state a reason for the change, such as a purchase or sale of a subsidiary, the date of the transaction, and any other pertinent information that will help to justify a reason for the change.

[89] 47 U.S.C. 159(c).

[90] *See* 47 CFR 1.1910.

[91] Delinquent debt owed to the Commission triggers the ''red light rule,'' which places a hold on the processing of pending applications, fee offsets, and pending disbursement payments. 47 CFR 1.1910, 1.1911, 1.1912. In 2004, the Commission adopted rules implementing the requirements of the DCIA. *See Amendment of Parts 0 and 1 of the Commission's Rules,* MD Docket No. 02–339, Report and Order, 19 FCC Rcd 6540 (2004); 47 CFR part 1, subpart O, Collection of Claims Owed the United States.

[92] 47 CFR 1.1940(d).

[93] 47 U.S.C. 159(c)(3).

[94] 47 CFR 1.1164(f).

[95] 47 CFR 1.1164(a).

[96] *See, e.g., Cortaro Broadcasting Corp.,* Order to Pay or Show Cause, 32 FCC Rcd 9336 (MB 2017).

[97] *See* 47 CFR 1.1161(c), 1.1164(f)(5), and 1.1910.

[98] 47 U.S.C. 159.

TABLE 1—CALCULATION OF FY 2018 REVENUE REQUIREMENTS AND PRO-RATA FEES—Continued

Fee category	FY 2018 payment units	Years	FY 2017 revenue estimate	Pro-rated FY 2018 revenue requirement	Computed FY 2018 regulatory fee	Rounded FY 2018 regulatory fee	Expected FY 2018 revenue
Aviation (Aircraft)	4,000	10	420,000	400,000	10	10	400,000
Marine (Coast)	75	10	60,000	30,000	40	40	30,000
Aviation (Ground)	1,000	10	220,000	200,000	20	20	200,000
AM Class A [1]	63	1	305,500	266,175	4,214	4,225	266,175
AM Class B [1]	1,523	1	3,807,500	3,274,450	2,162	2,150	3,274,450
AM Class C [1]	872	1	1,348,500	1,177,200	1,352	1,350	1,177,200
AM Class D [1]	1,503	1	4,476,000	3,907,800	2,592	2,600	3,907,800
FM Classes A, B1 & C3 [1]	3,166	1	9,371,250	8,152,450	2,582	2,575	8,152,450
FM Classes B, C, C0, C1 & C2 [1]	3,128	1	11,521,800	10,009,600	3,203	3,200	10,009,600
AM Construction Permits [2]	9	1	5,550	4,950	550	550	4,950
FM Construction Permits [2]	109	1	110,740	105,185	965	965	105,185
Satellite TV	126	1	217,350	189,000	1,497	1,500	189,000
Digital TV Mkt 1–10	144	1	8,305,250	7,164,000	49,739	49,750	7,164,000
Digital TV Mkt 11–25	140	1	5,898,275	5,243,000	37,455	37,450	5,243,000
Digital TV Mkt 26–50	189	1	5,439,050	4,729,725	25,013	25,025	4,729,725
Digital TV Mkt 51–100	290	1	4,267,875	3,617,750	12,470	12,475	3,617,750
Digital TV Remaining Markets	389	1	1,807,475	1,594,900	4,099	4,100	1,594,900
Digital TV Construction Permits [2]	3	1	14,775	12,300	4,100	4,100	12,300
LPTV/Translators/Boosters/Class A TV	3,989	1	1,741,930	1,515,820	378	380	1,515,820
CARS Stations	175	1	215,050	188,125	1,068	1,075	188,125
Cable TV Systems, including IPTV	61,000,000	1	58,900,000	46,970,000	.7658	.77	46,970,000
Direct Broadcast Satellite (DBS)	32,000,000	1	12,350,000	15,360,000	.480	.48	15,360,000
Interstate Telecommunication Service Providers	$36,400,000,000	1	111,740,000	100,464,000	0.002762	0.00276	100,464,000
Toll Free Numbers	33,200,000	1	3,924,000	3,320,000	0.10405	0.10	3,320,000
CMRS Mobile Services (Cellular/Public Mobile)	401,000,000	1	82,530,000	80,200,000	0.1962	0.20	80,200,000
CMRS Messag. Services	1,000,000	1	168,000	80,000	0.0800	0.080	80,000
BRS [3]	1,175	1	696,000	567,050	600	600	705,000
LMDS	400	1	316,000	378,250	600	600	240,000
Per 64 kbps Int'l Bearer Circuits, Terrestrial (Common) & Satellite (Common & Non-Common)	33,000,000	1	901,680	701,995	.0213	.02	660,000
Submarine Cable Providers (see chart in Table 3) [4]	41.19	1	5,660,261	4,959,228	120,405	120,400	4,959,035
Earth Stations	3,400	1	1,224,000	1,105,000	326	325	1,105,000
Space Stations (Geostationary)	97	1	13,669,725	12,401,450	127,839	127,850	12,401,450
Space Stations (Non-Geostationary)	7	1	947,450	859,425	122,776	122,775	859,425
****** Total Estimated Revenue to be Collected			358,670,986	323,493,858			323,451,340
****** Total Revenue Requirement			356,710,992	322,035,000			322,035,000
Difference			1,959,994	1,458,858			1,416,340

Notes on Table 1:

[1] The fee amounts listed in the column entitled ''Rounded New FY 2018 Regulatory Fee'' constitute a weighted average broadcast regulatory fee by class of service. The actual FY 2018 regulatory fees for AM/FM radio station are listed on a grid located at the end of Table 2.

[2] The AM and FM Construction Permit revenues and the Digital (VHF/UHF) Construction Permit revenues were adjusted, respectively, to set the regulatory fee to an amount no higher than the lowest licensed fee for that class of service. Reductions in the Digital (VHF/UHF) Construction Permit revenues, and in the AM and FM Construction Permit revenues, were offset by increases in the revenue totals for Digital television stations by market size, and in the AM and FM radio stations by class size and population served, respectively.

[3] MDS/MMDS category was renamed Broadband Radio Service (BRS). *See Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150–2162 and 2500–2690 MHz Bands,* Report & Order and Further Notice of Proposed Rulemaking, 19 FCC Rcd 14165, 14169, para. 6 (2004).

[4] The chart at the end of Table 2 lists the submarine cable bearer circuit regulatory fees (common and non-common carrier basis) that resulted from the adoption of the *Assessment and Collection of Regulatory Fees for Fiscal Year 2008,* Report and Order and Further Notice of Proposed Rulemaking, 24 FCC Rcd 6388 (2008) and *Assessment and Collection of Regulatory Fees for Fiscal Year 2008,* Second Report and Order, 24 FCC Rcd 4208 (2009).

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

TABLE 2—FY 2018 PROPOSED REGULATORY FEES

Fee category	Annual Regulatory Fee (U.S. $'s)
PLMRS (per license) (Exclusive Use) (47 CFR part 90)	25
Microwave (per license) (47 CFR part 101)	25
Marine (Ship) (per station) (47 CFR part 80)	15
Marine (Coast) (per license) (47 CFR part 80)	40
Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category)	10
PLMRS (Shared Use) (per license) (47 CFR part 90)	10
Aviation (Aircraft) (per station) (47 CFR part 87)	10
Aviation (Ground) (per license) (47 CFR part 87)	20
CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90)	.20
CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90)	.08
Broadband Radio Service (formerly MMDS/MDS) (per license) (47 CFR part 27)	600

TABLE 2—FY 2018 PROPOSED REGULATORY FEES—Continued

Fee category	Annual Regulatory Fee (U.S. $'s)
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	600
AM Radio Construction Permits	550
FM Radio Construction Permits	965
Digital TV (47 CFR part 73) VHF and UHF Commercial:	
Markets 1–10	49,750
Markets 11–25	37,450
Markets 26–50	25,025
Markets 51–100	12,475
Remaining Markets	4,100
Construction Permits	4,100
Satellite Television Stations (All Markets)	1,500
Low Power TV, Class A TV, TV/FM Translators & Boosters (47 CFR part 74)	380
CARS (47 CFR part 78)	1,075
Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV	.77
Direct Broadcast Service (DBS) (per subscriber) (as defined by section 602(13) of the Act)	.48
Interstate Telecommunication Service Providers (per revenue dollar)	.00276
Toll Free (per toll free subscriber) (47 C.F.R. section 52.101 (f) of the rules)	.10
Earth Stations (47 CFR part 25)	325
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	127,850
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25)	122,775
International Bearer Circuits—Terrestrial/Satellites (per 64KB circuit)	.02
Submarine Cable Landing Licenses Fee (per cable system)	See Table Below

FY 2018 RADIO STATION REGULATORY FEES

Population served	AM Class A	AM Class B	AM Class C	AM Class D	FM Classes A, B1 & C3	FM Classes B, C, C0, C1 & C2
<=25,000	$880	$635	$550	$605	$965	$1,100
25,001–75,000	1,325	950	825	910	1,450	1,650
75,001–150,000	1,975	1,425	1,250	1,350	2,175	2,475
150,001–500,000	2,975	2,150	1,850	2,050	3,250	3,725
500,001–1,200,000	4,450	3,225	2,775	3,050	4,875	5,575
1,200,001–3,000,00	6,700	4,825	4,175	4,600	7,325	8,350
3,000,001–6,000,00	10,025	7,225	6,275	6,900	11,000	12,525
>6,000,000	15,050	10,850	9,400	10,325	16,500	18,800

FY 2018 INTERNATIONAL BEARER CIRCUITS—SUBMARINE CABLE

Submarine cable systems (capacity as of December 31, 2017)	Proposed fee amount for FY 2018
Less than 50 Gbps	$9,850
50 Gbps or greater, but less than 250 Gbps	19,725
250 Gbps or greater, but less than 1,000 Gbps	39,425
1,000 Gbps or greater, but less than 4,000 Gbps	78,875
4,000 Gbps or greater	157,750

In order to calculate individual service fees for FY 2018, we adjusted FY 2017 payment units for each service to more accurately reflect expected FY 2018 payment liabilities. We obtained our updated estimates through a variety of means. For example, we used Commission licensee data bases, actual prior year payment records and industry and trade association projections when available. The databases we consulted include our Universal Licensing System (ULS), International Bureau Filing System (IBFS), Consolidated Database System (CDBS) and Cable Operations and Licensing System (COALS), as well as reports generated within the Commission such as the Wireless Telecommunications Bureau's *Numbering Resource Utilization Forecast.*

We sought verification for these estimates from multiple sources and, in all cases, we compared FY 2018 estimates with actual FY 2017 payment units to ensure that our revised estimates were reasonable. Where appropriate, we adjusted and/or rounded our final estimates to take into consideration the fact that certain variables that impact on the number of payment units cannot yet be estimated with sufficient accuracy. These include an unknown number of waivers and/or exemptions that may occur in FY 2018 and the fact that, in many services, the number of actual licensees or station operators fluctuates from time to time due to economic, technical, or other reasons. When we note, for example, that our estimated FY 2018 payment units are based on FY 2017 actual

payment units, it does not necessarily mean that our FY 2018 projection is exactly the same number as in FY 2017. We have either rounded the FY 2018 number or adjusted it slightly to account for these variables.

TABLE 3—SOURCES OF PAYMENT UNIT ESTIMATES FOR FY 2018

Fee category	Sources of payment unit estimates
Land Mobile (All), Microwave, Marine (Ship & Coast), Aviation (Aircraft & Ground), Domestic Public Fixed.	Based on Wireless Telecommunications Bureau (WTB) projections of new applications and renewals taking into consideration existing Commission licensee data bases. Aviation (Aircraft) and Marine (Ship) estimates have been adjusted to take into consideration the licensing of portions of these services on a voluntary basis.
CMRS Cellular/Mobile Services	Based on WTB projection reports, and FY 17 payment data.
CMRS Messaging Services	Based on WTB reports, and FY 17 payment data.
AM/FM Radio Stations	Based on CDBS data, adjusted for exemptions, and actual FY 2017 payment units.
Digital TV Stations (Combined VHF/UHF units)	Based on CDBS data, adjusted for exemptions, and actual FY 2017 payment units.
AM/FM/TV Construction Permits	Based on CDBS data, adjusted for exemptions, and actual FY 2017 payment units.
LPTV, Translators and Boosters, Class A Television.	Based on CDBS data, adjusted for exemptions, and actual FY 2017 payment units.
BRS (formerly MDS/MMDS)	Based on WTB reports and actual FY 2017 payment units.
LMDS	Based on WTB reports and actual FY 2017 payment units.
Cable Television Relay Service (CARS) Stations	Based on data from Media Bureau's COALS database and actual FY 2017 payment units.
Cable Television System Subscribers, Including IPTV Subscribers.	Based on publicly available data sources for estimated subscriber counts and actual FY 2017 payment units.
Interstate Telecommunication Service Providers	Based on FCC Form 499–Q data for the four quarters of calendar year 2017, the Wireline Competition Bureau projected the amount of calendar year 2017 revenue that will be reported on 2018 FCC Form 499–A worksheets due in April, 2018.
Earth Stations	Based on International Bureau ("IB") licensing data and actual FY 2017 payment units.
Space Stations (GSOs & NGSOs)	Based on IB data reports and actual FY 2017 payment units.
International Bearer Circuits	Based on IB reports and submissions by licensees, adjusted as necessary.
Submarine Cable Licenses	Based on IB license information.

Table 4

Factors, Measurements, and Calculations That Determine Station Signal Contours and Associated Population Coverages

AM Stations

For stations with nondirectional daytime antennas, the theoretical radiation was used at all azimuths. For stations with directional daytime antennas, specific information on each day tower, including field ratio, phase, spacing, and orientation was retrieved, as well as the theoretical pattern root-mean-square of the radiation in all directions in the horizontal plane (RMS) figure (milliVolt per meter (mV/m) @1 km) for the antenna system. The standard, or augmented standard if pertinent, horizontal plane radiation pattern was calculated using techniques and methods specified in sections 73.150 and 73.152 of the Commission's rules. Radiation values were calculated for each of 360 radials around the transmitter site. Next, estimated soil conductivity data was retrieved from a database representing the information in FCC Figure R3. Using the calculated horizontal radiation values, and the retrieved soil conductivity data, the distance to the principal community (5 mV/m) contour was predicted for each of the 360 radials. The resulting distance to principal community contours were used to form a geographical polygon. Population counting was accomplished by determining which 2010 block centroids were contained in the polygon. (A block centroid is the center point of a small area containing population as computed by the U.S. Census Bureau.) The sum of the population figures for all enclosed blocks represents the total population for the predicted principal community coverage area.

FM Stations

The greater of the horizontal or vertical effective radiated power (ERP) (kW) and respective height above average terrain (HAAT) (m) combination was used. Where the antenna height above mean sea level (HAMSL) was available, it was used in lieu of the average HAAT figure to calculate specific HAAT figures for each of 360 radials under study. Any available directional pattern information was applied as well, to produce a radial-specific ERP figure. The HAAT and ERP figures were used in conjunction with the Field Strength (50–50) propagation curves specified in 47 CFR 73.313 of the Commission's rules to predict the distance to the principal community (70 dBu (decibel above 1 microVolt per meter) or 3.17 mV/m) contour for each of the 360 radials. The resulting distance to principal community contours were used to form a geographical polygon. Population counting was accomplished by determining which 2010 block centroids were contained in the polygon. The sum of the population figures for all enclosed blocks represents the total population for the predicted principal community coverage area.

Regulatory fees for the categories shaded in gray are collected by the Commission in advance to cover the term of the license and are submitted at the time the application is filed.

TABLE 5—FY 2017 SCHEDULE OF REGULATORY FEES

Fee category	Annual regulatory fee (U.S. $s)
PLMRS (per license) (Exclusive Use) (47 CFR part 90)	25
Microwave (per license) (47 CFR part 101)	25

TABLE 5—FY 2017 SCHEDULE OF REGULATORY FEES—Continued

Fee category	Annual regulatory fee (U.S. $s)
Marine (Ship) (per station) (47 CFR part 80)	15
Marine (Coast) (per license) (47 CFR part 80)	40
Rural Radio (47 CFR part 22) (previously listed under the Land Mobile category)	10
PLMRS (Shared Use) (per license) (47 CFR part 90)	10
Aviation (Aircraft) (per station) (47 CFR part 87)	10
Aviation (Ground) (per license) (47 CFR part 87)	20
CMRS Mobile/Cellular Services (per unit) (47 CFR parts 20, 22, 24, 27, 80 and 90)	.21
CMRS Messaging Services (per unit) (47 CFR parts 20, 22, 24 and 90)	.08
Broadband Radio Service (formerly MMDS/MDS) (per license) (47 CFR part 27)	800
Local Multipoint Distribution Service (per call sign) (47 CFR, part 101)	800
AM Radio Construction Permits	555
FM Radio Construction Permits	980
Digital TV (47 CFR part 73) VHF and UHF Commercial:	
Markets 1–10	59,750
Markets 11–25	45,025
Markets 26–50	30,050
Markets 51–100	14,975
Remaining Markets	4,925
Construction Permits	4,925
Satellite Television Stations (All Markets)	1,725
Low Power TV, Class A TV, TV/FM Trans. & Boosters (47 CFR part 74)	430
CARS (47 CFR part 78)	935
Cable Television Systems (per subscriber) (47 CFR part 76), Including IPTV	.95
Direct Broadcast Service (DBS) (per subscriber) (as defined by section 602(13) of the Act)	.38
Interstate Telecommunication Service Providers (per revenue dollar)	.00302
Toll Free (per toll free subscriber) (47 C.F.R. section 52.101 (f) of the rules)	.12
Earth Stations (47 CFR part 25)	360
Space Stations (per operational station in geostationary orbit) (47 CFR part 25) also includes DBS Service (per operational station) (47 CFR part 100)	140,925
Space Stations (per operational system in non-geostationary orbit) (47 CFR part 25)	135,350
International Bearer Circuits—Terrestrial/Satellites (per 64KB circuit)	.03
Submarine Cable Landing Licenses Fee (per cable system)	See Table Below

FY 2017 RADIO STATION REGULATORY FEES

Population served	AM Class A	AM Class B	AM Class C	AM Class D	FM Classes A, B1 & C3	FM Classes B, C, C0, C1 & C2
<=25,000	895	640	555	610	980	1,100
25,001–75,000	1,350	955	830	915	1,475	1,650
75,001–150,000	2,375	1,700	1,475	1,600	2,600	2,925
150,001–500,000	3,550	2,525	2,200	2,425	3,875	4,400
500,001–1,200,000	5,325	3,800	3,300	3,625	5,825	6,575
1,200,001–3,000,00	7,975	5,700	4,950	5,425	8,750	9,875
3,000,001–6,000,00	11,950	8,550	7,400	8,150	13,100	14,800
>6,000,000	17,950	12,825	11,100	12,225	19,650	22,225

INTERNATIONAL BEARER CIRCUITS—SUBMARINE CABLE

Submarine cable systems (capacity as of December 31, 2016)	Fee amount
<2.5 Gbps	$8,600
2.5 Gbps or greater, but less than 5 Gbps	17,175
5 Gbps or greater, but less than 10 Gbps	34,350
10 Gbps or greater, but less than 20 Gbps	68,725
20 Gbps or greater	137,425

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
AK	13813	97,466	KATN	FAIRBANKS	Fairbanks.
AK	25221	374,951	KDMD	ANCHORAGE	Anchorage.
AK	20015	98,403	KJNP–TV	NORTH POLE	Fairbanks.
AK	13814	31,229	KJUD	JUNEAU	Juneau.
AK	35655	348,080	KTBY	ANCHORAGE	Anchorage.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
AK	60519	8,642	KTNL–TV	SITKA	Alaska.
AK	10173	380,240	KTUU–TV	ANCHORAGE	Anchorage.
AK	49632	342,517	KTVA	ANCHORAGE	Anchorage.
AK	49621	98,068	KTVF	FAIRBANKS	Fairbanks.
AK	60520	14,858	KUBD	KETCHIKAN	Alaska.
AK	21488	392,357	KYES–TV	ANCHORAGE	Anchorage.
AK	13815	379,943	KYUR	ANCHORAGE	Anchorage.
AL	57292	1,530,431	WAAY–TV	HUNTSVILLE	Huntsville-Decatur (Flor).
AL	16820	1,703,202	WABM	BIRMINGHAM	Birmingham (Ann and Tusc).
AL	591	1,197,068	WAFF	HUNTSVILLE	Huntsville-Decatur (Flor).
AL	701	769,765	WAKA	SELMA	Montgomery-Selma.
AL	4143	1,320,419	WALA–TV	MOBILE	Mobile-Pensacola (Ft. Walt).
AL	84802	736,501	WBIH	SELMA	Montgomery-Selma.
AL	68427	577,653	WBMM	TUSKEGEE	Montgomery-Selma.
AL	71221	1,852,997	WBRC	BIRMINGHAM	Birmingham (Ann and Tusc).
AL	73642	862,899	WCOV–TV	MONTGOMERY	Montgomery-Selma.
AL	71325	1,669,214	WDBB	BESSEMER	Birmingham (Ann and Tusc).
AL	32851	271,499	WDFX–TV	OZARK	Dothan.
AL	43846	452,377	WDHN	DOTHAN	Dothan.
AL	83740	1,365,977	WDPM–DT	MOBILE	Mobile-Pensacola (Ft. Walt).
AL	83943	1,283,160	WFNA	GULF SHORES	Mobile-Pensacola (Ft. Walt).
AL	56642	1,677,166	WGWW	ANNISTON	Birmingham (Ann and Tusc).
AL	65128	1,266,286	WHDF	FLORENCE	Huntsville-Decatur (Flor).
AL	48693	1,569,885	WHNT–TV	HUNTSVILLE	Huntsville-Decatur (Flor).
AL	5360	1,837,072	WIAT	BIRMINGHAM	Birmingham (Ann and Tusc).
AL	62207	526,556	WIYC	TROY	Montgomery-Selma.
AL	73187	1,499,595	WKRG–TV	MOBILE	Mobile-Pensacola (Ft. Walt).
AL	11113	950,018	WLGA	OPELIKA	Columbus, GA (Opelika, AL).
AL	60829	593,205	WMCF–TV	MONTGOMERY	Montgomery-Selma.
AL	60827	1,395,611	WMPV–TV	MOBILE	Mobile-Pensacola (Ft. Walt).
AL	72307	667,683	WNCF	MONTGOMERY	Montgomery-Selma.
AL	11906	1,467,869	WPMI–TV	MOBILE	Mobile-Pensacola (Ft. Walt).
AL	73312	1,495,586	WPXH–TV	GADSDEN	Birmingham (Ann and Tusc).
AL	21258	1,548,117	WSES	TUSCALOOSA	Birmingham.
AL	13993	1,168,636	WSFA	MONTGOMERY	Montgomery-Selma.
AL	1002	1,947,743	WTJP–TV	GADSDEN	Birmingham (Ann and Tusc).
AL	74138	1,817,151	WTTO	HOMEWOOD	Birmingham (Ann and Tusc).
AL	4152	974,532	WTVY	DOTHAN	Dothan.
AL	74173	1,876,825	WVTM–TV	BIRMINGHAM	Birmingham (Ann and Tusc).
AL	77496	2,209,921	WVUA	TUSCALOOSA	Birmingham (Ann and Tusc).
AL	28119	1,557,490	WZDX	HUNTSVILLE	Huntsville-Decatur (Flor).
AR	13988	861,149	KAIT	JONESBORO	Jonesboro.
AR	33440	1,212,038	KARK–TV	LITTLE ROCK	Little Rock-Pine Bluff.
AR	37005	1,186,579	KARZ–TV	LITTLE ROCK	Little Rock-Pine Bluff.
AR	41212	1,117,403	KASN	PINE BLUFF	Little Rock-Pine Bluff.
AR	33543	1,257,777	KATV	LITTLE ROCK	Little Rock-Pine Bluff.
AR	66469	906,728	KFSM–TV	FORT SMITH	Ft. Smith-Fay-Sprngdl-Rgrs.
AR	29560	818,859	KFTA–TV	FORT SMITH	Ft. Smith-Fay-Sprngdl-Rgrs.
AR	60353	631,770	KHBS	FORT SMITH	Ft. Smith-Fay-Sprngdl-Rgrs.
AR	60354	765,360	KHOG–TV	FAYETTEVILLE	Ft. Smith-Fay-Sprngdl-Rgrs.
AR	11951	1,171,678	KLRT–TV	LITTLE ROCK	Little Rock-Pine Bluff.
AR	86534	200,764	KMYA–DT	CAMDEN	Little Rock-Pine Bluff.
AR	29557	815,678	KNWA–TV	ROGERS	Ft. Smith-Fay-Sprngdl-Rgrs.
AR	2787	1,284,362	KTHV	LITTLE ROCK	Little Rock-Pine Bluff.
AR	35692	641,139	KTVE	EL DORADO	Monroe-El Dorado.
AR	608	303,744	KVTH–DT	HOT SPRINGS	Little Rock-Pine Bluff.
AR	2784	1,466,517	KVTJ–DT	JONESBORO	Jonesboro.
AR	607	936,328	KVTN–DT	PINE BLUFF	Little Rock-Pine Bluff.
AR	78314	657,822	KWBM	HARRISON	Springfield, MO.
AR	67347	498,679	KWOG	SPRINGDALE	Ft. Smith-Fay-Sprngdl-Rgrs.
AR	81593	570,030	KXNW	EUREKA SPRINGS	Ft. Smith-Fay-Sprngdl-Rgrs.
AZ	7143	4,170,505	KASW	PHOENIX	Phoenix (Prescott).
AZ	35811	436,925	KAZT–TV	PRESCOTT	Phoenix (Prescott).
AZ	41517	347,579	KFPH–DT	FLAGSTAFF	Phoenix (Prescott).
AZ	81441	113,876	KFTU–DT	DOUGLAS	Tucson (Sierra Vista).
AZ	36918	1,552,522	KGUN–TV	TUCSON	Tucson (Sierra Vista).
AZ	30601	1,172,397	KHRR	TUCSON	Tucson (Sierra Vista).
AZ	24753	199,885	KMOH–TV	KINGMAN	Phoenix (Prescott).
AZ	44052	1,321,614	KMSB	TUCSON	Tucson (Sierra Vista).
AZ	24749	332,321	KNAZ–TV	FLAGSTAFF	Phoenix (Prescott).
AZ	59440	4,183,943	KNXV–TV	PHOENIX	Phoenix (Prescott).
AZ	48663	1,216,228	KOLD–TV	TUCSON	Tucson (Sierra Vista).

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
AZ	67868	4,190,080	KPAZ–TV	PHOENIX	Phoenix (Prescott).
AZ	41223	4,195,073	KPHO–TV	PHOENIX	Phoenix (Prescott).
AZ	35486	4,215,834	KPNX	MESA	Phoenix (Prescott).
AZ	26655	4,186,998	KPPX–TV	TOLLESON	Phoenix (Prescott).
AZ	35587	4,207,660	KSAZ–TV	PHOENIX	Phoenix (Prescott).
AZ	33639	396,278	KSWT	YUMA	Yuma-El Centro.
AZ	81458	4,176,236	KTAZ	PHOENIX	Phoenix (Prescott).
AZ	11908	1,324,801	KTTU	TUCSON	Tucson (Sierra Vista).
AZ	40993	4,184,825	KTVK	PHOENIX	Phoenix (Prescott).
AZ	35705	4,173,111	KTVW–DT	PHOENIX	Phoenix (Prescott).
AZ	68886	4,191,015	KUTP	PHOENIX	Phoenix (Prescott).
AZ	63927	1,264,962	KUVE–DT	GREEN VALLEY	Tucson (Sierra Vista).
AZ	25735	1,317,956	KVOA	TUCSON	Tucson (Sierra Vista).
AZ	35095	1,129,510	KWBA–TV	SIERRA VISTA	Tucson (Sierra Vista).
AZ	74449	398,681	KYMA–DT	YUMA	Yuma-El Centro.
CA	282	17,791,335	KABC–TV	LOS ANGELES	Los Angeles.
CA	8263	138,085	KAEF–TV	ARCATA	Eureka.
CA	67494	1,967,744	KAIL	FRESNO	Fresno-Visalia.
CA	40517	383,886	KAJB	CALIPATRIA	Yuma-El Centro.
CA	29234	11,151,141	KAZA–TV	AVALON	Los Angeles.
CA	4148	1,510,400	KBAK–TV	BAKERSFIELD	Bakersfield.
CA	69619	8,020,424	KBCW	SAN FRANCISCO	San Francisco-Oak-San Jose.
CA	56384	17,343,236	KBEH	GARDEN GROVE	Los Angeles.
CA	58618	135,249	KBVU	EUREKA	Eureka.
CA	21422	17,734,310	KCAL–TV	LOS ANGELES	Los Angeles.
CA	14867	3,094,778	KCBA	SALINAS	Monterey-Salinas.
CA	9628	17,595,935	KCBS–TV	LOS ANGELES	Los Angeles.
CA	71586	8,048,427	KCNS	SAN FRANCISCO	San Francisco-Oak-San Jose.
CA	33742	17,976,764	KCOP–TV	LOS ANGELES	Los Angeles.
CA	63165	664,655	KCOY–TV	SANTA MARIA	SantaBarbra-SanMar-SanLuOb.
CA	33875	10,612,483	KCRA–TV	SACRAMENTO	Sacramnto-Stkton-Modesto.
CA	58605	630,068	KCVU	PARADISE	Chico-Redding.
CA	24518	17,564,367	KDOC–TV	ANAHEIM	Los Angeles.
CA	33778	7,906,408	KDTV–DT	SAN FRANCISCO	San Francisco-Oak-San Jose.
CA	51208	399,372	KECY–TV	EL CENTRO	Yuma-El Centro.
CA	34440	4,005,296	KEMO–TV	FREMONT	San Francisco-Oak-San Jose.
CA	40878	1,285,357	KERO–TV	BAKERSFIELD	Bakersfield.
CA	25577	917,395	KESQ–TV	PALM SPRINGS	Palm Springs.
CA	60637	1,419,564	KEYT–TV	SANTA BARBARA	SantaBarbra-SanMar-SanLuOb.
CA	42122	3,947,735	KFMB–TV	SAN DIEGO	San Diego.
CA	59013	1,721,275	KFRE–TV	SANGER	Fresno-Visalia.
CA	51429	7,348,828	KFSF–DT	VALLEJO	San Francisco-Oak-San Jose.
CA	8620	1,747,889	KFSN–TV	FRESNO	Fresno-Visalia.
CA	60549	17,560,679	KFTR–DT	ONTARIO	Los Angeles.
CA	34439	1,807,731	KFTV–DT	HANFORD	Fresno-Visalia.
CA	34459	917,927	KGET–TV	BAKERSFIELD	Bakersfield.
CA	23302	1,759,725	KGMC	CLOVIS	Fresno-Visalia.
CA	34470	8,283,429	KGO–TV	SAN FRANCISCO	San Francisco-Oak-San Jose.
CA	56034	1,699,131	KGPE	FRESNO	Fresno-Visalia.
CA	40876	3,960,667	KGTV	SAN DIEGO	San Diego.
CA	24508	627,256	KHSL–TV	CHICO	Chico-Redding.
CA	34564	8,233,041	KICU–TV	SAN JOSE	San Francisco-Oak-San Jose.
CA	53382	174,390	KIEM–TV	EUREKA	Eureka.
CA	63865	17,014,158	KILM	INGLEWOOD	Los Angeles.
CA	26249	2,400,317	KION–TV	MONTEREY	Monterey-Salinas.
CA	14000	17,691,186	KJLA	VENTURA	Los Angeles.
CA	42640	137,375	KJRW	EUREKA	Eureka.
CA	22644	7,902,064	KKPX–TV	SAN JOSE	San Francisco-Oak-San Jose.
CA	51499	10,691,054	KMAX–TV	SACRAMENTO	Sacramnto-Stkton-Modesto.
CA	35123	17,628,354	KMEX–DT	LOS ANGELES	Los Angeles.
CA	16749	862,440	KMIR–TV	PALM SPRINGS	Palm Springs.
CA	51488	1,725,397	KMPH–TV	VISALIA	Fresno-Visalia.
CA	47906	17,859,647	KNBC	LOS ANGELES	Los Angeles.
CA	35277	3,541,824	KNSD	SAN DIEGO	San Diego.
CA	58608	2,092,512	KNSO	MERCED	Fresno-Visalia.
CA	35280	8,022,662	KNTV	SAN JOSE	San Francisco-Oak-San Jose.
CA	33745	495,403	KNVN	CHICO	Chico-Redding.
CA	51189	8,082,202	KOFY–TV	SAN FRANCISCO	San Francisco-Oak-San Jose.
CA	56550	10,759,811	KOVR	STOCKTON	Sacramnto-Stkton-Modesto.
CA	25452	8,340,753	KPIX–TV	SAN FRANCISCO	San Francisco-Oak-San Jose.
CA	12144	1,731,370	KPMR	SANTA BARBARA	SantaBarbra-SanMar-SanLuOb.
CA	58978	17,058,741	KPXN–TV	SAN BERNARDINO	Los Angeles.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
CA	10242	9,931,378	KQCA	STOCKTON	Sacramnto-Stkton-Modesto.
CA	8378	202,204	KQSL	FORT BRAGG	San Fran-Oakland-San Jose.
CA	22161	17,589,371	KRCA	RIVERSIDE	Los Angeles.
CA	8291	485,749	KRCR–TV	REDDING	Chico-Redding.
CA	65526	8,050,508	KRON–TV	SAN FRANCISCO	San Francisco-Oak-San Jose.
CA	19653	5,083,461	KSBW	SALINAS	Monterey-Salinas.
CA	19654	535,029	KSBY	SAN LUIS OBISPO	SantaBarbra-SanMar-SanLuOb.
CA	35608	17,447,166	KSCI	LONG BEACH	Los Angeles.
CA	35594	1,749,448	KSEE	FRESNO	Fresno-Visalia.
CA	35611	1,251,045	KSMS–TV	MONTEREY	Monterey-Salinas.
CA	52953	6,745,180	KSPX–TV	SACRAMENTO	Sacramnto-Stkton-Modesto.
CA	64987	7,645,340	KSTS	SAN JOSE	San Francisco-Oak-San Jose.
CA	58827	3,787,157	KSWB–TV	SAN DIEGO	San Diego.
CA	12930	471,882	KTAS	SAN LUIS OBISPO	SantaBarbra-SanMar-SanLuOb.
CA	67884	17,795,677	KTBN–TV	SANTA ANA	Los Angeles.
CA	35512	2,162,454	KTFF–DT	PORTERVILLE	Fresno-Visalia.
CA	20871	6,969,307	KTFK–DT	STOCKTON	Sacramnto-Stkton-Modesto.
CA	35670	17,994,407	KTLA	LOS ANGELES	Los Angeles.
CA	49153	6,079,057	KTLN–TV	PALO ALTO	San Francisco-Oak-San Jose.
CA	21533	8,048,427	KTNC–TV	CONCORD	San Francisco-Oak-San Jose.
CA	37511	7,450,985	KTSF	SAN FRANCISCO	San Francisco-Oak-San Jose.
CA	22208	17,952,596	KTTV	LOS ANGELES	Los Angeles.
CA	35703	7,913,996	KTVU	OAKLAND	San Francisco-Oak-San Jose.
CA	10205	7,355,088	KTXL	SACRAMENTO	Sacramnto-Stkton-Modesto.
CA	10238	3,572,818	KUSI–TV	SAN DIEGO	San Diego.
CA	7700	1,006,905	KUVI–DT	BAKERSFIELD	Bakersfield.
CA	58609	4,043,413	KUVS–DT	MODESTO	Sacramnto-Stkton-Modesto.
CA	19783	17,925,427	KVEA	CORONA	Los Angeles.
CA	16729	6,145,526	KVMD	TWENTYNINE PALMS	Los Angeles.
CA	83825	26,711	KVME–TV	BISHOP	Los Angeles.
CA	36170	396,495	KVYE	EL CENTRO	Yuma-El Centro.
CA	26231	17,343,236	KWHY–TV	LOS ANGELES	Los Angeles.
CA	55083	17,653,164	KXLA	RANCHO PALOS VERDES.	Los Angeles.
CA	25048	10,759,864	KXTV	SACRAMENTO	Sacramnto-Stkton-Modesto.
CO	63158	2,798,103	KCDO–TV	STERLING	Denver.
CO	57219	3,874,159	KCEC	BOULDER	Denver.
CO	47903	3,794,400	KCNC–TV	DENVER	Denver.
CO	38375	3,376,799	KDEN–TV	LONGMONT	Denver.
CO	126	3,430,717	KDVR	DENVER	Denver.
CO	37101	3,098,889	KETD	CASTLE ROCK	Denver.
CO	125	795,114	KFCT	FORT COLLINS	Denver.
CO	31597	186,473	KFQX	GRAND JUNCTION	Grand Junction-Montrose.
CO	52593	270,089	KGBY	GRAND JUNCTION	Grand Junction-Montrose.
CO	24766	206,018	KKCO	GRAND JUNCTION	Grand Junction-Montrose.
CO	35037	2,795,275	KKTV	COLORADO SPRINGS	Colorado Springs-Pueblo.
CO	40875	3,815,253	KMGH–TV	DENVER	Denver.
CO	59014	1,391,946	KOAA–TV	PUEBLO	Colorado Springs-Pueblo.
CO	166510	3,402,022	KPJR–TV	GREELEY	Denver.
CO	68695	3,399,664	KPXC–TV	DENVER	Denver.
CO	52579	2,622,603	KRDO–TV	COLORADO SPRINGS	Colorado Springs-Pueblo.
CO	70578	149,306	KREG–TV	GLENWOOD SPRINGS	Denver.
CO	70596	145,700	KREX–TV	GRAND JUNCTION	Grand Junction-Montrose.
CO	70579	74,963	KREY–TV	MONTROSE	Grand Junction-Montrose.
CO	48589	148,079	KREZ–TV	DURANGO	Albuquerque-Santa Fe.
CO	82613	96,062	KRTN–TV	DURANGO	Albuquerque-Santa Fe.
CO	24514	3,265,713	KTFD–TV	DENVER	Denver.
CO	68581	3,845,148	KTVD	DENVER	Denver.
CO	23074	3,803,461	KUSA	DENVER	Denver.
CO	166331	2,711,724	KVSN–DT	PUEBLO	Colorado Springs-Pueblo.
CO	35883	3,706,495	KWGN–TV	DENVER	Denver.
CO	35991	1,843,363	KXRM–TV	COLORADO SPRINGS	Colorado Springs-Pueblo.
CT	14050	4,776,733	WCCT–TV	WATERBURY	Hartford & New Haven.
CT	33081	4,836,344	WCTX	NEW HAVEN	Hartford & New Haven.
CT	53115	4,818,020	WFSB	HARTFORD	Hartford & New Haven.
CT	51980	4,851,563	WHPX–TV	NEW LONDON	Hartford & New Haven.
CT	147	5,314,290	WTIC–TV	HARTFORD	Hartford & New Haven.
CT	74109	7,844,936	WTNH	NEW HAVEN	Hartford & New Haven.
CT	3072	3,973,310	WUVN	HARTFORD	Hartford & New Haven.
CT	74170	4,964,395	WVIT	NEW BRITAIN	Hartford & New Haven.
CT	70493	5,996,408	WZME	BRIDGEPORT	New York.
DC	51567	7,869,833	WDCA	WASHINGTON	Washington, DC (Hagrstwn).

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
DC	30576	8,171,829	WDCW	WASHINGTON	Washington, DC (Hagrstwn).
DC	1051	8,970,526	WJLA–TV	WASHINGTON	Washington, DC (Hagrstwn).
DC	47904	8,001,507	WRC–TV	WASHINGTON	Washington, DC (Hagrstwn).
DC	22207	8,069,350	WTTG	WASHINGTON	Washington, DC (Hagrstwn).
DC	65593	8,970,526	WUSA	WASHINGTON	Washington, DC (Hagrstwn).
DE	1283	11,594,463	KJWP	WILMINGTON	Philadelphia.
DE	189357	6,384,827	WMDE	DOVER	Washington, DC (Hagrstwn).
DE	51984	8,206,117	WPPX–TV	WILMINGTON	Philadelphia.
FL	60018	3,967,118	WACX	LEESBURG	Orlando-Daytona Bch-Melbrn.
FL	60536	5,406,932	WAMI–DT	HOLLYWOOD	Miami-Ft. Lauderdale.
FL	54938	553,676	WAWD	FORT WALTON BEACH	Mobile-Pensacola (Ft. Walt).
FL	71085	2,046,391	WBBH–TV	FORT MYERS	Ft. Myers-Naples.
FL	12497	5,349,613	WBFS–TV	MIAMI	Miami-Ft. Lauderdale.
FL	81594	323,268	WBIF	MARIANNA	Panama City.
FL	16993	977,492	WCJB–TV	GAINESVILLE	Gainesville.
FL	11125	4,097,389	WCLF	CLEARWATER	Tampa-St. Pete (Sarasota).
FL	29712	1,582,959	WCWJ	JACKSONVILLE	Jacksonville.
FL	71363	1,524,131	WEAR–TV	PENSACOLA	Mobile-Pensacola (Ft. Walt).
FL	25738	4,107,172	WESH	DAYTONA BEACH	Orlando-Daytona Bch-Melbrn.
FL	81669	814,185	WFBD	DESTIN	Mobile-Pensacola (Ft. Walt).
FL	11123	2,759,457	WFGC	PALM BEACH	West Palm Beach-Ft. Pierce.
FL	6554	1,440,245	WFGX	FORT WALTON BEACH	Mobile-Pensacola (Ft. Walt).
FL	64592	5,450,176	WFLA–TV	TAMPA	Tampa-St. Pete (Sarasota).
FL	39736	5,730,443	WFLX	WEST PALM BEACH	West Palm Beach-Ft. Pierce.
FL	47902	5,398,266	WFOR–TV	MIAMI	Miami-Ft. Lauderdale.
FL	11909	1,602,888	WFOX–TV	JACKSONVILLE	Jacksonville.
FL	64588	5,077,970	WFTS–TV	TAMPA	Tampa-St. Pete (Sarasota).
FL	16788	4,523,828	WFTT–TV	VENICE	Tampa-St. Pete (Sarasota).
FL	72076	3,849,576	WFTV	ORLANDO	Orlando-Daytona Bch-Melbrn.
FL	70649	1,775,097	WFTX–TV	CAPE CORAL	Ft. Myers-Naples.
FL	22245	211,721	WFXU	LIVE OAK	Tallahassee-Thomasville.
FL	27387	43,037	WGEN–TV	KEY WEST	Miami-Ft. Lauderdale.
FL	7727	759,234	WGFL	HIGH SPRINGS	Gainesville.
FL	10894	1,302,764	WHBR	PENSACOLA	Mobile-Pensacola (Ft. Walt).
FL	83929	5,640,324	WHDT	STUART	West Palm Beach-Ft. Pierce.
FL	67971	5,417,409	WHFT–TV	MIAMI	Miami-Ft. Lauderdale.
FL	24582	3,825,468	WHLV–TV	COCOA	Orlando-Daytona Bch-Melbrn.
FL	22093	1,851,105	WINK–TV	FORT MYERS	Ft. Myers-Naples.
FL	35576	1,630,782	WJAX–TV	JACKSONVILLE	Jacksonville.
FL	73136	856,973	WJHG–TV	PANAMA CITY	Panama City.
FL	41210	1,347,474	WJTC	PENSACOLA	Mobile-Pensacola (Ft. Walt).
FL	53116	1,608,682	WJXT	JACKSONVILLE	Jacksonville.
FL	11893	1,618,191	WJXX	ORANGE PARK	Jacksonville.
FL	53465	4,032,154	WKCF	CLERMONT	Orlando-Daytona Bch-Melbrn.
FL	71293	3,803,492	WKMG–TV	ORLANDO	Orlando-Daytona Bch-Melbrn.
FL	73230	5,427,398	WLTV–DT	MIAMI	Miami-Ft. Lauderdale.
FL	66398	935,027	WMBB	PANAMA CITY	Panama City.
FL	53819	5,386,517	WMOR–TV	LAKELAND	Tampa-St. Pete (Sarasota).
FL	83965	633,243	WNBW–DT	GAINESVILLE	Gainesville.
FL	41225	3,941,895	WOFL	ORLANDO	Orlando-Daytona Bch-Melbrn.
FL	70651	1,112,408	WOGX	OCALA	Gainesville.
FL	67602	3,826,498	WOPX–TV	MELBOURNE	Orlando-Daytona Bch-Melbrn.
FL	131	3,288,537	WOTF–TV	DAYTONA BEACH	Orlando-Daytona Bch-Melbrn.
FL	31570	637,347	WPAN	FORT WALTON BEACH	Mobile-Pensacola (Ft. Walt).
FL	51988	3,190,307	WPBF	TEQUESTA	West Palm Beach-Ft. Pierce.
FL	4354	183,956	WPCT	PANAMA CITY BEACH	Panama City.
FL	52527	5,788,448	WPEC	WEST PALM BEACH	West Palm Beach-Ft. Pierce.
FL	2942	425,098	WPGX	PANAMA CITY	Panama City.
FL	53113	5,587,129	WPLG	MIAMI	Miami-Ft. Lauderdale.
FL	59443	5,840,102	WPTV–TV	WEST PALM BEACH	West Palm Beach-Ft. Pierce.
FL	48608	5,206,059	WPXM–TV	MIAMI	Miami-Ft. Lauderdale.
FL	27290	5,565,072	WPXP–TV	LAKE WORTH	West Palm Beach-Ft. Pierce.
FL	54940	4,025,123	WRBW	ORLANDO	Orlando-Daytona Bch-Melbrn.
FL	55454	3,931,023	WRDQ	ORLANDO	Orlando-Daytona Bch-Melbrn.
FL	71580	1,633,655	WRXY–TV	TICE	Ft. Myers-Naples.
FL	72053	42,952	WSBS–TV	KEY WEST	Miami-Ft. Lauderdale.
FL	64971	5,465,435	WSCV	FORT LAUDERDALE	Miami-Ft. Lauderdale.
FL	10203	5,316,261	WSFL–TV	MIAMI	Miami-Ft. Lauderdale.
FL	63840	5,588,760	WSVN	MIAMI	Miami-Ft. Lauderdale.
FL	82735	349,696	WTLF	TALLAHASSEE	Tallahassee-Thomasville.
FL	65046	1,757,600	WTLV	JACKSONVILLE	Jacksonville.
FL	74112	4,796,964	WTOG	ST. PETERSBURG	Tampa-St. Pete (Sarasota).

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
FL	11290	5,625,517	WTSP	ST. PETERSBURG	Tampa-St. Pete (Sarasota).
FL	4108	5,365,984	WTTA	ST. PETERSBURG	Tampa-St. Pete (Sarasota).
FL	63154	5,458,451	WTVJ	MIAMI	Miami-Ft. Lauderdale.
FL	68569	5,475,385	WTVT	TAMPA	Tampa-St. Pete (Sarasota).
FL	35575	2,962,933	WTVX	FORT PIERCE	West Palm Beach-Ft. Pierce.
FL	66908	1,032,942	WTWC–TV	TALLAHASSEE	Tallahassee-Thomasville.
FL	41065	1,054,514	WTXL–TV	TALLAHASSEE	Tallahassee-Thomasville.
FL	60559	4,283,915	WVEA–TV	TAMPA	Tampa-St. Pete (Sarasota).
FL	5802	3,607,540	WVEN–TV	MELBOURNE	Orlando-Daytona Bch-Melbrn.
FL	61251	3,340,133	WWSB	SARASOTA	Tampa-St. Pete (Sarasota).
FL	61504	1,749,847	WXCW	NAPLES	Ft. Myers-Naples.
FL	6601	4,566,037	WXPX–TV	BRADENTON	Tampa-St. Pete (Sarasota).
FL	19183	1,916,098	WZVN–TV	NAPLES	Ft. Myers-Naples.
GA	70689	6,000,355	WAGA–TV	ATLANTA	Atlanta.
GA	70713	773,899	WALB	ALBANY	Albany, GA.
GA	22819	5,882,837	WATL	ATLANTA	Atlanta.
GA	31590	1,049,825	WCTV	THOMASVILLE	Tallahassee-Thomasville.
GA	60825	1,491,382	WELF–TV	DALTON	Chattanooga.
GA	3228	1,126,348	WFXG	AUGUSTA	Augusta-Aiken.
GA	70815	793,637	WFXL	ALBANY	Albany, GA.
GA	72120	6,027,276	WGCL–TV	ATLANTA	Atlanta.
GA	24618	742,533	WGNM	MACON	Macon.
GA	69446	867,516	WGSA	BAXLEY	Savannah.
GA	63329	1,061,654	WGTA	TOCCOA	Atlanta.
GA	58262	759,936	WGXA	MACON	Macon.
GA	68058	5,901,052	WHSG–TV	MONROE	Atlanta.
GA	27140	1,601,531	WJBF	AUGUSTA	Augusta-Aiken.
GA	37174	938,086	WJCL	SAVANNAH	Savannah.
GA	37179	689,521	WLTZ	COLUMBUS	Columbus, GA (Opelika, AL).
GA	46991	1,185,678	WMAZ–TV	MACON	Macon.
GA	43847	601,894	WMGT–TV	MACON	Macon.
GA	64033	5,986,720	WPCH–TV	ATLANTA	Atlanta.
GA	54728	559,495	WPGA–TV	PERRY	Macon.
GA	51969	6,594,205	WPXA–TV	ROME	Atlanta.
GA	71236	1,561,014	WPXC–TV	BRUNSWICK	Jacksonville.
GA	3359	1,493,140	WRBL	COLUMBUS	Columbus, GA (Opelika, AL).
GA	73937	1,564,584	WRDW–TV	AUGUSTA	Augusta-Aiken.
GA	48662	979,772	WSAV–TV	SAVANNAH	Savannah.
GA	23960	5,893,810	WSB–TV	ATLANTA	Atlanta.
GA	63867	345,428	WSST–TV	CORDELE	Albany, GA.
GA	28155	363,166	WSWG	VALDOSTA	Albany, GA.
GA	23486	1,038,086	WTLH	BAINBRIDGE	Tallahassee-Thomasville.
GA	590	993,098	WTOC–TV	SAVANNAH	Savannah.
GA	595	1,498,667	WTVM	COLUMBUS	Columbus, GA (Opelika, AL).
GA	6900	5,946,477	WUPA	ATLANTA	Atlanta.
GA	48813	5,888,275	WUVG–DT	ATHENS	Atlanta.
GA	51163	6,179,680	WXIA–TV	ATLANTA	Atlanta.
GA	12472	700,123	WXTX	COLUMBUS	Columbus, GA (Opelika, AL).
GU	29232	159,358	KTGM	TAMUNING	Guam.
GU	51233	159,358	KUAM–TV	HAGATNA	Guam.
HI	3246	955,391	KAAH–TV	HONOLULU	Honolulu.
HI	4145	188,810	KAII–TV	WAILUKU	Honolulu.
HI	65395	953,207	KBFD–DT	HONOLULU	Honolulu.
HI	36917	953,895	KFVE	HONOLULU	Honolulu.
HI	34445	953,398	KGMB	HONOLULU	Honolulu.
HI	36914	94,323	KGMD–TV	HILO	Honolulu.
HI	36920	193,564	KGMV	WAILUKU	Honolulu.
HI	4146	95,204	KHAW–TV	HILO	Honolulu.
HI	34846	74,884	KHBC–TV	HILO	Honolulu.
HI	34867	953,398	KHNL	HONOLULU	Honolulu.
HI	4144	953,207	KHON–TV	HONOLULU	Honolulu.
HI	64544	94,226	KHVO	HILO	Honolulu.
HI	34527	953,896	KIKU	HONOLULU	Honolulu.
HI	64548	953,207	KITV	HONOLULU	Honolulu.
HI	83180	955,203	KKAI	KAILUA	Honolulu.
HI	664	82,902	KLEI–TV	KAILUA–KONA	Honolulu.
HI	64551	213,060	KMAU	WAILUKU	Honolulu.
HI	34859	190,829	KOGG	WAILUKU	Honolulu.
HI	77483	959,493	KPXO–TV	KANEOHE	Honolulu.
HI	89714	956,178	KUPU	WAIMANALO	Honolulu.
HI	37103	97,959	KWHD	HILO	Honolulu.
HI	36846	952,966	KWHE	HONOLULU	Honolulu.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
HI	37105	175,045	KWHM	WAILUKU	Honolulu.
IA	11265	783,655	KCAU–TV	SIOUX CITY	Sioux City.
IA	33710	1,102,130	KCCI	DES MOINES	Des Moines-Ames.
IA	9719	1,180,361	KCRG–TV	CEDAR RAPIDS	Cedar Rapids-Wtrlo-IWC&Dub.
IA	51502	1,043,811	KCWI–TV	AMES	Des Moines-Ames.
IA	78915	1,141,990	KDMI	DES MOINES	Des Moines-Ames.
IA	56527	1,096,220	KDSM–TV	DES MOINES	Des Moines-Ames.
IA	81509	754,049	KFPX–TV	NEWTON	Des Moines-Ames.
IA	35336	875,538	KFXA	CEDAR RAPIDS	Cedar Rapids-Wtrlo-IWC&Dub.
IA	17625	362,313	KFXB–TV	DUBUQUE	Cedar Rapids-Wtrlo-IWC&Dub.
IA	25685	1,083,213	KGAN	CEDAR RAPIDS	Cedar Rapids-Wtrlo-IWC&Dub.
IA	7841	888,054	KGCW	BURLINGTON	Davenport-R.Island-Moline.
IA	66402	702,390	KIMT	MASON CITY	Rochestr-Mason City-Austin.
IA	54011	960,055	KLJB	DAVENPORT	Davenport-R.Island-Moline.
IA	39665	701,162	KMEG	SIOUX CITY	Sioux City.
IA	77451	583,937	KPTH	SIOUX CITY	Sioux City.
IA	21156	745,935	KPXR–TV	CEDAR RAPIDS	Cedar Rapids-Wtrlo-IWC&Dub.
IA	66170	688,477	KTIV	SIOUX CITY	Sioux City.
IA	35096	1,121,676	KWKB	IOWA CITY	Cedar Rapids-Wtrlo-IWC&Dub.
IA	6885	1,080,156	KWQC–TV	DAVENPORT	Davenport-R.Island-Moline.
IA	593	1,171,751	KWWL	WATERLOO	Cedar Rapids-Wtrlo-IWC&Dub.
IA	53820	651,334	KYOU–TV	OTTUMWA	Ottumwa-Kirksville.
IA	66221	1,151,807	WHO–DT	DES MOINES	Des Moines-Ames.
IA	8661	1,212,356	WOI–DT	AMES	Des Moines-Ames.
ID	49760	716,754	KBOI–TV	BOISE	Boise.
ID	56028	305,509	KIDK	IDAHO FALLS	Idaho Fals-Pocatllo (Jcksn).
ID	66258	325,086	KIFI–TV	IDAHO FALLS	Idaho Fals-Pocatllo (Jcksn).
ID	59255	710,819	KIVI–TV	NAMPA	Boise.
ID	35097	629,939	KKJB	BOISE	Boise.
ID	56032	164,908	KLEW–TV	LEWISTON	Spokane.
ID	35200	184,647	KMVT	TWIN FALLS	Twin Falls.
ID	59363	709,494	KNIN–TV	CALDWELL	Boise.
ID	86205	255,766	KPIF	POCATELLO	Idaho Fals-Pocatllo (Jcksn).
ID	1270	271,379	KPVI–DT	POCATELLO	Idaho Fals-Pocatllo (Jcksn).
ID	28230	714,833	KTRV–TV	NAMPA	Boise.
ID	34858	719,145	KTVB	BOISE	Boise.
ID	78910	248,405	KVUI	POCATELLO	Idaho Fals-Pocatllo (Jcksn).
ID	1255	121,558	KXTF	TWIN FALLS	Twin Falls.
IL	70852	1,400,271	WAND	DECATUR	Champaign&Sprngfld-Decatur.
IL	52280	613,812	WAOE	PEORIA	Peoria-Bloomington.
IL	9617	9,977,169	WBBM–TV	CHICAGO	Chicago.
IL	16363	981,884	WBUI	DECATUR	Champaign&Sprngfld-Decatur.
IL	69544	395,106	WCCU	URBANA	Champaign&Sprngfld-Decatur.
IL	42124	796,609	WCIA	CHAMPAIGN	Champaign&Sprngfld-Decatur.
IL	71428	9,891,328	WCIU–TV	CHICAGO	Chicago.
IL	42116	554,002	WCIX	SPRINGFIELD	Champaign&Sprngfld-Decatur.
IL	10981	9,674,477	WCPX–TV	CHICAGO	Chicago.
IL	24801	698,238	WEEK–TV	PEORIA	Peoria-Bloomington.
IL	22211	9,957,301	WFLD	CHICAGO	Chicago.
IL	12498	9,771,815	WGBO–DT	JOLIET	Chicago.
IL	54275	333,383	WGEM–TV	QUINCY	Quincy-Hannibal-Keokuk.
IL	72115	9,942,959	WGN–TV	CHICAGO	Chicago.
IL	13950	1,807,539	WHBF–TV	ROCK ISLAND	Davenport-R.Island-Moline.
IL	6866	679,446	WHOI	PEORIA	Peoria-Bloomington.
IL	25684	1,046,898	WICD	CHAMPAIGN	Champaign&Sprngfld-Decatur.
IL	25686	1,011,833	WICS	SPRINGFIELD	Champaign&Sprngfld-Decatur.
IL	73226	10,174,464	WLS–TV	CHICAGO	Chicago.
IL	47905	9,915,738	WMAQ–TV	CHICAGO	Chicago.
IL	42121	733,039	WMBD–TV	PEORIA	Peoria-Bloomington.
IL	81946	946,858	WMWC–TV	GALESBURG	Davenport-R.Island-Moline.
IL	40861	1,152,104	WPXS	MOUNT VERNON	St. Louis.
IL	73319	1,079,594	WQAD–TV	MOLINE	Davenport-R.Island-Moline.
IL	52408	1,326,695	WQRF–TV	ROCKFORD	Rockford.
IL	57221	2,737,188	WRBU	EAST ST. LOUIS	St. Louis.
IL	73940	2,303,027	WREX	ROCKFORD	Rockford.
IL	62009	904,190	WRSP–TV	SPRINGFIELD	Champaign&Sprngfld-Decatur.
IL	73999	672,560	WSIL–TV	HARRISBURG	Paducah-Cape Girard-Harsbg.
IL	70119	9,867,825	WSNS–TV	CHICAGO	Chicago.
IL	67786	584,661	WTCT	MARION	Paducah-Cape Girard-Harsbg.
IL	4593	334,527	WTJR	QUINCY	Quincy-Hannibal-Keokuk.
IL	72945	1,409,708	WTVO	ROCKFORD	Rockford.
IL	998	52,428	WWTO–TV	NAPERVILLE	Chicago.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
IL	60539	9,623,545	WXFT–DT	AURORA	Chicago.
IL	5875	1,042,140	WYZZ–TV	BLOOMINGTON	Peoria-Bloomington.
IN	39270	1,108,844	WANE–TV	FORT WAYNE	Ft. Wayne.
IN	65247	705,549	WAWV–TV	TERRE HAUTE	Terre Haute.
IN	68007	2,545,363	WCLJ–TV	BLOOMINGTON	Indianapolis.
IN	24215	847,299	WEHT	EVANSVILLE	Evansville.
IN	72041	752,417	WEVV–TV	EVANSVILLE	Evansville.
IN	25040	1,088,489	WFFT–TV	FORT WAYNE	Ft. Wayne.
IN	13991	731,856	WFIE	EVANSVILLE	Evansville.
IN	37102	2,847,719	WHMB–TV	INDIANAPOLIS	Indianapolis.
IN	36117	1,271,796	WHME–TV	SOUTH BEND	South Bend-Elkhart.
IN	67787	1,001,485	WINM	ANGOLA	Ft. Wayne.
IN	10253	2,268,782	WIPX–TV	BLOOMINGTON	Indianapolis.
IN	13960	1,089,665	WISE–TV	FORT WAYNE	Ft. Wayne.
IN	39269	2,912,963	WISH–TV	INDIANAPOLIS	Indianapolis.
IN	32334	9,647,321	WJYS	HAMMOND	Chicago.
IN	67869	3,323,765	WKOI–TV	RICHMOND	Dayton.
IN	73204	2,243,009	WLFI–TV	LAFAYETTE	Lafayette, IN.
IN	34167	1,983,992	WMYO	SALEM	Louisville.
IN	41674	1,807,909	WNDU–TV	SOUTH BEND	South Bend-Elkhart.
IN	28462	2,485,547	WNDY–TV	MARION	Indianapolis.
IN	73905	1,083,373	WPTA	FORT WAYNE	Ft. Wayne.
IN	48772	10,054,485	WPWR–TV	GARY	Chicago.
IN	40877	2,919,683	WRTV	INDIANAPOLIS	Indianapolis.
IN	73983	1,691,194	WSBT–TV	SOUTH BEND	South Bend-Elkhart.
IN	74007	1,522,499	WSJV	ELKHART	South Bend-Elkhart.
IN	70655	928,934	WTHI–TV	TERRE HAUTE	Terre Haute.
IN	70162	2,988,174	WTHR	INDIANAPOLIS	Indianapolis.
IN	56526	2,817,698	WTTK	KOKOMO	Indianapolis.
IN	56523	2,362,145	WTTV	BLOOMINGTON	Indianapolis.
IN	3661	791,430	WTVW	EVANSVILLE	Evansville.
IN	20426	737,757	WTWO	TERRE HAUTE	Terre Haute.
IN	146	2,721,639	WXIN	INDIANAPOLIS	Indianapolis.
KS	11912	220,262	KAAS–TV	SALINA	Wichita-Hutchinson Plus.
KS	65522	803,937	KAKE	WICHITA	Wichita-Hutchinson Plus.
KS	66414	155,012	KBSD–DT	ENSIGN	Wichita-Hutchinson Plus.
KS	66415	102,781	KBSH–DT	HAYS	Wichita-Hutchinson Plus.
KS	66416	49,814	KBSL–DT	GOODLAND	Wichita-Hutchinson Plus.
KS	166332	796,251	KDCU–DT	DERBY	Wichita-Hutchinson Plus.
KS	83992	515,708	KFJX	PITTSBURG	Joplin-Pittsburg.
KS	65523	34,288	KLBY	COLBY	Wichita-Hutchinson Plus.
KS	42636	2,362,805	KMCI–TV	LAWRENCE	Kansas City.
KS	77063	761,521	KMTW	HUTCHINSON	Wichita-Hutchinson Plus.
KS	58552	595,307	KOAM–TV	PITTSBURG	Joplin-Pittsburg.
KS	83181	83,807	KOCW	HOISINGTON	Wichita-Hutchinson Plus.
KS	11911	752,513	KSAS–TV	WICHITA	Wichita-Hutchinson Plus.
KS	72348	915,691	KSCW–DT	WICHITA	Wichita-Hutchinson Plus.
KS	72359	174,135	KSNC	GREAT BEND	Wichita-Hutchinson Plus.
KS	72361	145,058	KSNG	GARDEN CITY	Wichita-Hutchinson Plus.
KS	67335	622,818	KSNT	TOPEKA	Topeka.
KS	72358	789,136	KSNW	WICHITA	Wichita-Hutchinson Plus.
KS	166546	382,328	KSQA	TOPEKA	Topeka.
KS	49397	567,958	KTKA–TV	TOPEKA	Topeka.
KS	65535	149,642	KUPK	GARDEN CITY	Wichita-Hutchinson Plus.
KS	66413	883,647	KWCH–DT	HUTCHINSON	Wichita-Hutchinson Plus.
KS	63160	1,089,708	WIBW–TV	TOPEKA	Topeka.
KY	37809	1,575,363	WAGV	HARLAN	Knoxville.
KY	13989	1,846,212	WAVE	LOUISVILLE	Louisville.
KY	4692	963,413	WBKO	BOWLING GREEN	Bowling Green.
KY	73692	1,699,683	WBNA	LOUISVILLE	Louisville.
KY	39561	621,903	WDKA	PADUCAH	Paducah-Cape Girard-Harsbg.
KY	64017	1,159,126	WDKY–TV	DANVILLE	Lexington.
KY	28476	1,987,708	WDRB	LOUISVILLE	Louisville.
KY	32327	1,982,756	WHAS–TV	LOUISVILLE	Louisville.
KY	24914	1,138,566	WKYT–TV	LEXINGTON	Lexington.
KY	73203	969,543	WLEX–TV	LEXINGTON	Lexington.
KY	27696	1,433,458	WLJC–TV	BEATTYVILLE	Lexington.
KY	53939	1,854,829	WLKY	LOUISVILLE	Louisville.
KY	61217	385,619	WNKY	BOWLING GREEN	Bowling Green.
KY	51991	883,812	WPSD–TV	PADUCAH	Paducah-Cape Girard-Harsbg.
KY	67798	593,934	WTSF	ASHLAND	Charleston-Huntington.
KY	51597	989,180	WTVQ–DT	LEXINGTON	Lexington.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
KY	23128	1,147,454	WUPX–TV	MOREHEAD	Lexington.
KY	39738	2,825,570	WXIX–TV	NEWPORT	Cincinnati.
KY	24915	1,180,276	WYMT–TV	HAZARD	Lexington.
LA	33261	877,965	KADN–TV	LAFAYETTE	Lafayette, LA.
LA	51598	943,307	KALB–TV	ALEXANDRIA	Alexandria, LA.
LA	3658	703,234	KARD	WEST MONROE	Monroe-El, Dorado.
LA	33471	1,348,897	KATC	LAFAYETTE	Lafayette, LA.
LA	16940	463,075	KBCA	ALEXANDRIA	Alexandria, LA.
LA	83945	1,645,641	KGLA–DT	HAMMOND	New Orleans.
LA	52907	367,212	KLAX–TV	ALEXANDRIA	Alexandria, LA.
LA	35059	1,355,890	KLFY–TV	LAFAYETTE	Lafayette, LA.
LA	82476	1,216,359	KLWB	NEW IBERIA	Lafayette, LA.
LA	38584	258,282	KMCT–TV	WEST MONROE	Monroe-El, Dorado.
LA	52046	711,951	KMLU	COLUMBIA	Monroe-El Dorado.
LA	12525	1,068,120	KMSS–TV	SHREVEPORT	Shreveport.
LA	48975	733,097	KNOE–TV	MONROE	Monroe-El Dorado.
LA	13994	1,406,085	KPLC	LAKE CHARLES	Lake Charles.
LA	81507	1,026,423	KPXJ	MINDEN	Shreveport.
LA	73706	937,203	KSHV–TV	SHREVEPORT	Shreveport.
LA	70482	1,009,108	KSLA	SHREVEPORT	Shreveport.
LA	35652	1,163,228	KTBS–TV	SHREVEPORT	Shreveport.
LA	35852	743,167	KVHP	LAKE CHARLES	Lake Charles.
LA	589	1,857,882	WAFB	BATON ROUGE	Baton Rouge.
LA	38616	2,223,336	WBRZ–TV	BATON ROUGE	Baton Rouge.
LA	71357	1,613,076	WDSU	NEW ORLEANS	New Orleans.
LA	12520	1,739,804	WGMB–TV	BATON ROUGE	Baton Rouge.
LA	72119	1,641,765	WGNO	NEW ORLEANS	New Orleans.
LA	37106	1,499,653	WHNO	NEW ORLEANS	New Orleans.
LA	54280	1,632,389	WNOL–TV	NEW ORLEANS	New Orleans.
LA	21729	1,566,829	WPXL–TV	NEW ORLEANS	New Orleans.
LA	13938	1,632,100	WUPL	SLIDELL	New Orleans.
LA	70021	1,897,179	WVLA–TV	BATON ROUGE	Baton Rouge.
LA	4149	1,658,125	WVUE–DT	NEW ORLEANS	New Orleans.
LA	74192	1,756,442	WWL–TV	NEW ORLEANS	New Orleans.
MA	7692	6,736,080	WBPX–TV	BOSTON	Boston (Manchester).
MA	25456	7,764,394	WBZ–TV	BOSTON	Boston (Manchester).
MA	74419	1,979,058	WCDC–TV	ADAMS	Albany-Schenectady-Troy.
MA	65684	7,741,540	WCVB–TV	BOSTON	Boston (Manchester).
MA	6476	1,138,218	WDPX–TV	WOBURN	Boston (Manchester).
MA	6463	7,366,667	WFXT	BOSTON	Boston (Manchester).
MA	25682	3,443,447	WGGB–TV	SPRINGFIELD	Springfield-Holyoke.
MA	72145	7,319,659	WHDH	BOSTON	Boston (Manchester).
MA	22591	5,705,441	WLNE–TV	NEW BEDFORD	Providence-New Bedford.
MA	3978	3,281,532	WLWC	NEW BEDFORD	Providence-New Bedford.
MA	41436	7,144,273	WMFP	FOXBOROUGH	Boston (Manchester).
MA	136751	1,540,430	WNYA	PITTSFIELD	Albany-Schenectady-Troy.
MA	73982	7,161,406	WSBK–TV	BOSTON	Boston (Manchester).
MA	60551	7,209,571	WUNI	MARLBOROUGH	Boston (Manchester).
MA	30577	8,557,497	WUTF–TV	WORCESTER	Boston (Manchester).
MA	23671	5,792,048	WWDP	NORWELL	Boston (Manchester).
MA	6868	3,838,272	WWLP	SPRINGFIELD	Springfield-Holyoke.
MD	65696	9,596,587	WBAL–TV	BALTIMORE	Baltimore.
MD	10758	8,509,757	WBFF	BALTIMORE	Baltimore.
MD	71218	783,438	WBOC–TV	SALISBURY	Salisbury.
MD	25045	2,667,801	WDVM–TV	HAGERSTOWN	Washington, DC (Hagrstwn).
MD	10259	8,970,526	WJAL	SILVER SPRING	Washington, DC (Hagrstwn).
MD	25455	9,366,690	WJZ–TV	BALTIMORE	Baltimore.
MD	59442	9,203,498	WMAR–TV	BALTIMORE	Baltimore.
MD	16455	731,931	WMDT	SALISBURY	Salisbury.
MD	7933	8,867,805	WNUV	BALTIMORE	Baltimore.
MD	60552	7,450,690	WUTB	BALTIMORE	Baltimore.
ME	17005	530,773	WABI–TV	BANGOR	Bangor.
ME	48305	64,721	WAGM–TV	PRESQUE ISLE	Presque Isle.
ME	39664	1,682,955	WCSH	PORTLAND	Portland-Auburn.
ME	25683	1,308,896	WGME–TV	PORTLAND	Portland-Auburn.
ME	39644	373,129	WLBZ	BANGOR	Bangor.
ME	73288	1,940,292	WMTW	POLAND SPRING	Portland-Auburn.
ME	84088	870,698	WPFO	WATERVILLE	Portland-Auburn.
ME	48408	671,201	WPME	LEWISTON	Portland-Auburn.
ME	53065	760,491	WPXT	PORTLAND	Portland-Auburn.
ME	3667	368,022	WVII–TV	BANGOR	Bangor.
MI	455	4,610,514	WADL	MOUNT CLEMENS	Detroit.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
MI	67792	1,992,340	WAQP	SAGINAW	Flint-Saginaw-Bay City.
MI	67048	136,823	WBKB–TV	ALPENA	Alpena.
MI	76001	55,655	WBKP	CALUMET	Marquette.
MI	82627	987,886	WBSF	BAY CITY	Flint-Saginaw-Bay City.
MI	59281	126,472	WBUP	ISHPEMING	Marquette.
MI	53114	5,425,162	WDIV–TV	DETROIT	Detroit.
MI	72052	2,664,319	WEYI–TV	SAGINAW	Flint-Saginaw-Bay City.
MI	25396	537,340	WFQX–TV	CADILLAC	Traverse City-Cadillac.
MI	25395	217,655	WFUP	VANDERBILT	Traverse City-Cadillac.
MI	59279	95,618	WGTQ	SAULT STE. MARIE	Traverse City-Cadillac.
MI	59280	358,543	WGTU	TRAVERSE CITY	Traverse City-Cadillac.
MI	6863	3,378,644	WILX–TV	ONONDAGA	Lansing.
MI	73123	5,748,623	WJBK	DETROIT	Detroit.
MI	9630	160,991	WJMN–TV	ESCANABA	Marquette.
MI	21735	2,788,684	WJRT–TV	FLINT	Flint-Saginaw-Bay City.
MI	51570	4,986,483	WKBD–TV	DETROIT	Detroit.
MI	36533	1,865,669	WLAJ	LANSING	Lansing.
MI	11033	2,041,934	WLLA	KALAMAZOO	Grand Rapids-Kalmzoo-B. Crk.
MI	74420	3,664,748	WLNS–TV	LANSING	Lansing.
MI	21259	92,246	WLUC–TV	MARQUETTE	Marquette.
MI	74211	5,601,422	WMYD	DETROIT	Detroit.
MI	41221	1,617,082	WNEM–TV	BAY CITY	Flint-Saginaw-Bay City.
MI	36838	2,507,053	WOOD–TV	GRAND RAPIDS	Grand Rapids-Kalmzoo-B. Crk.
MI	10212	2,277,566	WOTV	BATTLE CREEK	Grand Rapids-Kalmzoo-B. Crk.
MI	21253	411,213	WPBN–TV	TRAVERSE CITY	Traverse City-Cadillac.
MI	5800	5,133,364	WPXD–TV	ANN ARBOR	Detroit.
MI	21737	2,339,224	WSMH	FLINT	Flint-Saginaw-Bay City.
MI	74094	1,516,677	WSYM–TV	LANSING	Lansing.
MI	67781	1,622,365	WTLJ	MUSKEGON	Grand Rapids-Kalmzoo-B. Crk.
MI	21254	83,379	WTOM–TV	CHEBOYGAN	Traverse City-Cadillac.
MI	72123	5,374,064	WWJ–TV	DETROIT	Detroit.
MI	74195	2,460,942	WWMT	KALAMAZOO	Grand Rapids-Kalmzoo-B. Crk.
MI	26994	1,034,174	WWTV	CADILLAC	Traverse City-Cadillac.
MI	26993	116,638	WWUP–TV	SAULT STE. MARIE	Traverse City-Cadillac.
MI	68433	1,988,970	WXMI	GRAND RAPIDS	Grand Rapids-Kalmzoo-B. Crk.
MI	10267	5,591,434	WXYZ–TV	DETROIT	Detroit.
MI	81448	73,423	WZMQ	MARQUETTE	Marquette.
MI	71871	2,094,029	WZPX–TV	BATTLE CREEK	Grand Rapids-Kalmzoo-B. Crk.
MI	49713	1,574,546	WZZM	GRAND RAPIDS	Grand Rapids-Kalmzoo-B. Crk.
MN	18285	589,502	KAAL	AUSTIN	Rochestr-Mason City-Austin.
MN	23079	3,924,944	KARE	MINNEAPOLIS	Minneapolis-St. Paul.
MN	55370	149,869	KBRR	THIEF RIVER FALLS	Fargo-Valley City.
MN	9640	284,280	KCCW–TV	WALKER	Minneapolis-St. Paul.
MN	166511	207,398	KCWV	DULUTH	Duluth-Superior.
MN	4691	263,422	KDLH	DULUTH	Duluth-Superior.
MN	68853	544,900	KEYC–TV	MANKATO	Mankato.
MN	83714	61,990	KFTC	BEMIDJI	Minneapolis-St. Paul.
MN	68883	3,832,040	KMSP–TV	MINNEAPOLIS	Minneapolis-St. Paul.
MN	35907	3,609,455	KPXM–TV	ST. CLOUD	Minneapolis-St. Paul.
MN	35525	305,747	KQDS–TV	DULUTH	Duluth-Superior.
MN	82698	133,840	KRII	CHISHOLM	Duluth-Superior.
MN	35585	85,596	KRWF	REDWOOD FALLS	Minneapolis-St. Paul.
MN	35584	359,400	KSAX	ALEXANDRIA	Minneapolis-St. Paul.
MN	35843	3,796,912	KSTC–TV	MINNEAPOLIS	Minneapolis-St. Paul.
MN	28010	3,788,898	KSTP–TV	ST. PAUL	Minneapolis-St. Paul.
MN	35678	815,213	KTTC	ROCHESTER	Rochestr-Mason City-Austin.
MN	35906	354,712	KXLT–TV	ROCHESTER	Rochestr-Mason City-Austin.
MN	9629	3,837,442	WCCO–TV	MINNEAPOLIS	Minneapolis-St. Paul.
MN	71338	341,506	WDIO–DT	DULUTH	Duluth-Superior.
MN	11913	3,787,177	WFTC	MINNEAPOLIS	Minneapolis-St. Paul.
MN	71336	127,001	WIRT–DT	HIBBING	Duluth-Superior.
MN	36395	3,664,480	WUCW	MINNEAPOLIS	Minneapolis-St. Paul.
MO	19593	752,366	KBSI	CAPE GIRARDEAU	Paducah-Cape Girard-Harsbg.
MO	41230	2,547,456	KCTV	KANSAS CITY	Kansas City.
MO	64444	2,460,172	KCWE	KANSAS CITY	Kansas City.
MO	56524	2,987,219	KDNL–TV	ST. LOUIS	St. Louis.
MO	592	810,574	KFVS–TV	CAPE GIRARDEAU	Paducah-Cape Girard-Harsbg.
MO	4690	318,469	KHQA–TV	HANNIBAL	Quincy-Hannibal-Keokuk.
MO	65686	2,507,895	KMBC–TV	KANSAS CITY	Kansas City.
MO	63164	550,860	KMIZ	COLUMBIA	Columbia-Jefferson City.
MO	70034	3,035,077	KMOV	ST. LOUIS	St. Louis.
MO	48525	2,944,530	KNLC	ST. LOUIS	St. Louis.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
MO	48521	655,000	KNLJ	JEFFERSON CITY	Columbia-Jefferson City.
MO	18283	607,048	KODE–TV	JOPLIN	Joplin-Pittsburg.
MO	28496	1,076,144	KOLR	SPRINGFIELD	Springfield, MO.
MO	65583	551,658	KOMU–TV	COLUMBIA	Columbia-Jefferson City.
MO	3659	992,495	KOZL–TV	SPRINGFIELD	Springfield, MO.
MO	35417	2,968,619	KPLR–TV	ST. LOUIS	St. Louis.
MO	73998	144,525	KPOB–TV	POPLAR BLUFF	Paducah-Cape Girard-Harsbg.
MO	33337	2,437,178	KPXE–TV	KANSAS CITY	Kansas City.
MO	20427	1,494,987	KQTV	ST. JOSEPH	St. Joseph.
MO	166319	766,402	KRBK	OSAGE BEACH	Springfield, MO.
MO	41110	684,989	KRCG	JEFFERSON CITY	Columbia-Jefferson City.
MO	46981	2,986,764	KSDK	ST. LOUIS	St. Louis.
MO	59444	2,361,771	KSHB–TV	KANSAS CITY	Kansas City.
MO	33336	2,401,134	KSMO–TV	KANSAS CITY	Kansas City.
MO	67766	500,881	KSNF	JOPLIN	Joplin-Pittsburg.
MO	999	2,343,843	KTAJ–TV	ST. JOSEPH	Kansas City.
MO	35693	2,979,889	KTVI	ST. LOUIS	St. Louis.
MO	21251	148,780	KTVO	KIRKSVILLE	Ottumwa-Kirksville.
MO	36003	1,041,020	KYTV	SPRINGFIELD	Springfield, MO.
MO	11291	2,539,581	WDAF–TV	KANSAS CITY	Kansas City.
MS	43203	393,020	WABG–TV	GREENWOOD	Greenwood-Greenville.
MS	49712	793,621	WAPT	JACKSON	Jackson, MS.
MS	60830	1,554,395	WBUY–TV	HOLLY SPRINGS	Memphis.
MS	12477	680,511	WCBI–TV	COLUMBUS	Columbus-Tupelo-W Pnt-Hstn.
MS	21250	512,594	WDAM–TV	LAUREL	Hattiesburg-Laurel.
MS	71326	919,098	WDBD	JACKSON	Jackson, MS.
MS	83946	583,789	WEPH	TUPELO	Columbus-Tupelo-W Pnt-Hstn.
MS	25236	274,078	WFXW	GREENVILLE	Greenwood-Greenville.
MS	24314	249,415	WGBC	MERIDIAN	Meridian.
MS	48668	484,404	WHLT	HATTIESBURG	Hattiesburg-Laurel.
MS	48667	987,206	WJTV	JACKSON	Jackson, MS.
MS	68542	948,671	WLBT	JACKSON	Jackson, MS.
MS	84253	917,998	WLOO	VICKSBURG	Jackson, MS.
MS	37732	609,526	WLOV–TV	WEST POINT	Columbus-Tupelo-W Pnt-Hstn.
MS	13995	1,129,974	WLOX	BILOXI	Biloxi-Gulfport.
MS	73255	278,227	WMDN	MERIDIAN	Meridian.
MS	16539	338,422	WNTZ–TV	NATCHEZ	Alexandria, LA.
MS	136749	1,030,831	WRBJ–TV	MAGEE	Jackson, MS.
MS	4686	410,134	WTOK–TV	MERIDIAN	Meridian.
MS	74148	717,035	WTVA	TUPELO	Columbus-Tupelo-W Pnt-Hstn.
MS	166512	518,866	WWJX	JACKSON	Jackson, MS.
MS	53517	1,178,251	WXXV–TV	GULFPORT	Biloxi-Gulfport.
MT	33756	116,485	KBZK	BOZEMAN	Butte-Bozeman.
MT	18079	148,162	KCFW–TV	KALISPELL	Missoula.
MT	18084	235,954	KECI–TV	MISSOULA	Missoula.
MT	34412	93,519	KFBB–TV	GREAT FALLS	Great Falls.
MT	47670	175,601	KHMT	HARDIN	Billings.
MT	35455	206,895	KPAX–TV	MISSOULA	Missoula.
MT	35567	92,687	KRTV	GREAT FALLS	Great Falls.
MT	5243	175,390	KSVI	BILLINGS	Billings.
MT	13792	80,732	KTGF	GREAT FALLS	Great Falls.
MT	14675	187,251	KTMF	MISSOULA	Missoula.
MT	5290	228,832	KTVH–DT	HELENA	Helena.
MT	18066	277,657	KTVM–TV	BUTTE	Butte-Bozeman.
MT	35694	179,797	KTVQ	BILLINGS	Billings.
MT	35724	177,242	KULR–TV	BILLINGS	Billings.
MT	14674	86,495	KWYB	BUTTE	Butte-Bozeman.
MT	24287	14,217	KXGN–TV	GLENDIVE	Glendive.
MT	35959	258,100	KXLF–TV	BUTTE	Butte-Bozeman.
MT	5237	12,496	KYUS–TV	MILES CITY	Billings.
NC	12793	2,640,163	WAXN–TV	KANNAPOLIS	Charlotte.
NC	30826	4,433,020	WBTV	CHARLOTTE	Charlotte.
NC	49157	3,542,464	WCCB	CHARLOTTE	Charlotte.
NC	32326	3,822,849	WCNC–TV	CHARLOTTE	Charlotte.
NC	18334	1,680,664	WCTI–TV	NEW BERN	Greenville-N. Bern-Washngtn.
NC	35385	3,434,637	WCWG	LEXINGTON	Greensboro-H. Point-W. Salem.
NC	48666	1,134,918	WECT	WILMINGTON	Wilmington.
NC	81508	859,535	WEPX–TV	GREENVILLE	Greenville-N. Bern-Washngtn.
NC	72064	4,772,783	WFMY–TV	GREENSBORO	Greensboro-H. Point-W. Salem.
NC	21245	1,093,394	WFPX–TV	ARCHER LODGE	Raleigh-Durham (Fayetvlle).
NC	72106	3,774,522	WGHP	HIGH POINT	Greensboro-H. Point-W. Salem.
NC	65074	1,952,062	WGPX–TV	BURLINGTON	Greensboro-H. Point-W. Salem.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
NC	65919	3,038,732	WHKY–TV	HICKORY	Charlotte.
NC	594	1,768,040	WITN–TV	WASHINGTON	Greenville-N. Bern-Washngtn.
NC	73152	4,054,244	WJZY	BELMONT	Charlotte.
NC	73205	3,640,360	WLFL	RALEIGH	Raleigh-Durham (Fayetvlle).
NC	56537	3,762,204	WLOS	ASHEVILLE	Greenvll-Spart-Ashevll-And.
NC	54452	2,664,793	WLXI	GREENSBORO	Greensboro-H. Point-W. Salem.
NC	25544	3,808,852	WMYV	GREENSBORO	Greensboro-H. Point-W. Salem.
NC	50782	3,427,038	WNCN	GOLDSBORO	Raleigh-Durham (Fayetvlle).
NC	57838	1,933,527	WNCT–TV	GREENVILLE	Greenville-N. Bern-Washngtn.
NC	37971	690,613	WPXU–TV	JACKSONVILLE	Greenville-N. Bern-Washngtn.
NC	8688	3,643,511	WRAL–TV	RALEIGH	Raleigh-Durham (Fayetvlle).
NC	10133	2,724,695	WRAY–TV	WILSON	Raleigh-Durham (Fayetvlle).
NC	64611	3,605,228	WRAZ	RALEIGH	Raleigh-Durham (Fayetvlle).
NC	54963	3,624,288	WRDC	DURHAM	Raleigh-Durham (Fayetvlle).
NC	20590	2,218,968	WRPX–TV	ROCKY MOUNT	Raleigh-Durham (Fayetvlle).
NC	72871	928,247	WSFX–TV	WILMINGTON	Wilmington.
NC	76324	1,934,585	WSKY–TV	MANTEO	Norfolk-Portsmth-Newpt Nws.
NC	74070	3,516,728	WSOC–TV	CHARLOTTE	Charlotte.
NC	8617	4,012,851	WTVD	DURHAM	Raleigh-Durham (Fayetvlle).
NC	16517	3,528,124	WUVC–DT	FAYETTEVILLE	Raleigh-Durham (Fayetvlle).
NC	12033	1,206,281	WWAY	WILMINGTON	Wilmington.
NC	53921	3,434,637	WXII–TV	WINSTON–SALEM	Greensboro-H. Point-W. Salem.
NC	414	4,362,761	WXLV–TV	WINSTON–SALEM	Greensboro-H. Point-W. Salem.
NC	70149	2,603,504	WYCW	ASHEVILLE	Greenvll-Spart-Ashevll-And.
NC	35582	1,097,745	WYDO	GREENVILLE	Greenville-N. Bern-Washngtn.
ND	22121	119,993	KBMY	BISMARCK	Minot-Bsmrck-Dcknsn (Wlstn).
ND	86208	90,266	KCPM	GRAND FORKS	Fargo-Valley City.
ND	41427	130,881	KFYR–TV	BISMARCK	Minot-Bsmrck-Dcknsn (Wlstn).
ND	55364	45,515	KJRR	JAMESTOWN	Fargo-Valley City.
ND	22127	71,797	KMCY	MINOT	Minot-Bsmrck-Dcknsn (Wlstn).
ND	41425	81,517	KMOT	MINOT	Minot-Bsmrck-Dcknsn (Wlstn).
ND	82611	118,154	KNDB	BISMARCK	Minot-Bsmrck-Dcknsn (Wlstn).
ND	82615	72,216	KNDM	MINOT	Minot-Bsmrck-Dcknsn (Wlstn).
ND	55362	25,957	KNRR	PEMBINA	Fargo-Valley City.
ND	41430	35,623	KQCD–TV	DICKINSON	Minot-Bsmrck-Dcknsn (Wlstn).
ND	49134	349,941	KRDK–TV	VALLEY CITY	Fargo-Valley City.
ND	41429	41,607	KUMV–TV	WILLISTON	Minot-Bsmrck-Dcknsn (Wlstn).
ND	61961	347,517	KVLY–TV	FARGO	Fargo-Valley City.
ND	55372	356,645	KVRR	FARGO	Fargo-Valley City.
ND	55684	32,005	KXMA–TV	DICKINSON	Minot-Bsmrck-Dcknsn (Wlstn).
ND	55686	142,755	KXMB–TV	BISMARCK	Minot-Bsmrck-Dcknsn (Wlstn).
ND	55685	97,569	KXMC–TV	MINOT	Minot-Bsmrck-Dcknsn (Wlstn).
ND	55683	37,962	KXMD–TV	WILLISTON	Minot-Bsmrck-Dcknsn (Wlstn).
ND	22129	339,239	WDAY–TV	FARGO	Fargo-Valley City.
ND	22124	151,720	WDAZ–TV	DEVIL'S LAKE	Fargo-Valley City.
NE	53903	1,355,714	KETV	OMAHA	Omaha.
NE	84453	361,632	KFXL–TV	LINCOLN	Lincoln & Hastings-Krny.
NE	7894	230,535	KGIN	GRAND ISLAND	Lincoln & Hastings-Krny.
NE	21160	233,973	KHGI–TV	KEARNEY	Lincoln & Hastings-Krny.
NE	11264	932,757	KLKN	LINCOLN	Lincoln & Hastings-Krny.
NE	35190	1,346,474	KMTV–TV	OMAHA	Omaha.
NE	17683	101,389	KNEP	SIDNEY	Rapid City.
NE	48003	277,777	KNHL	HASTINGS	Lincoln & Hastings-Krny.
NE	49273	87,904	KNOP–TV	NORTH PLATTE	North Platte.
NE	7890	1,225,400	KOLN	LINCOLN	Lincoln & Hastings-Krny.
NE	51491	1,388,670	KPTM	OMAHA	Omaha.
NE	21161	658,560	KSNB–TV	SUPERIOR	Lincoln & Hastings-Krny.
NE	72362	48,715	KSNK	MCCOOK	Wichita-Hutchinson Plus.
NE	63182	51,317	KSTF	SCOTTSBLUFF	Cheyenne-Scottsbluff.
NE	21162	91,093	KWNB–TV	HAYES CENTER	Lincoln & Hastings-Krny.
NE	23277	1,333,338	KXVO	OMAHA	Omaha.
NE	65528	1,380,979	WOWT	OMAHA	Omaha.
NH	14682	8,557,497	WBIN–TV	DERRY	Boston (Manchester).
NH	73292	5,192,179	WMUR–TV	MANCHESTER	Boston (Manchester).
NH	51864	3,471,700	WNEU	MERRIMACK	Boston (Manchester).
NH	48406	2,582,585	WPXG–TV	CONCORD	Boston (Manchester).
NJ	189358	9,415,263	WACP	ATLANTIC CITY	Philadelphia.
NJ	60555	19,992,096	WFUT–DT	NEWARK	New York.
NJ	7623	807,797	WGTW–TV	MILLVILLE	Philadelphia.
NJ	86537	21,384,863	WJLP	MIDDLETOWN TOWNSHIP.	New York.
NJ	43952	18,706,132	WMBC–TV	NEWTON	New York.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
NJ	9739	5,783,793	WMCN–TV	CHERRY HILL	Philadelphia.
NJ	61111	807,797	WMGM–TV	WILDWOOD	Philadelphia.
NJ	73333	20,064,358	WNJU	LINDEN	New York.
NJ	60560	9,122,378	WUVP–DT	VINELAND	Philadelphia.
NJ	74197	20,059,048	WWOR–TV	SECAUCUS	New York.
NJ	23142	7,178,613	WWSI	MOUNT LAUREL	Philadelphia.
NJ	74215	19,992,096	WXTV–DT	PATERSON	New York.
NM	32311	1,161,789	KASA–TV	SANTA FE	Albuquerque-Santa Fe.
NM	55049	1,140,916	KASY–TV	ALBUQUERQUE	Albuquerque-Santa Fe.
NM	48556	205,701	KBIM–TV	ROSWELL	Albuquerque-Santa Fe.
NM	60793	1,118,671	KCHF	SANTA FE	Albuquerque-Santa Fe.
NM	57220	1,079,718	KLUZ–TV	ALBUQUERQUE	Albuquerque-Santa Fe.
NM	993	1,157,630	KNAT–TV	ALBUQUERQUE	Albuquerque-Santa Fe.
NM	53928	1,153,633	KOAT–TV	ALBUQUERQUE	Albuquerque-Santa Fe.
NM	35313	1,152,841	KOB	ALBUQUERQUE	Albuquerque-Santa Fe.
NM	35321	201,911	KOBF	FARMINGTON	Albuquerque-Santa Fe.
NM	62272	211,709	KOBR	ROSWELL	Albuquerque-Santa Fe.
NM	53539	65,943	KRPV–DT	ROSWELL	Albuquerque-Santa Fe.
NM	48575	1,158,673	KRQE	ALBUQUERQUE	Albuquerque-Santa Fe.
NM	84157	111,538	KRWB–TV	ROSWELL	Albuquerque-Santa Fe.
NM	36916	1,015,338	KTDO	LAS CRUCES	El Paso (Las Cruces).
NM	83707	53,423	KTEL–TV	CARLSBAD	Albuquerque-Santa Fe.
NM	35084	1,136,300	KTFQ–TV	ALBUQUERQUE	Albuquerque-Santa Fe.
NM	27431	87,602	KUPT	HOBBS	Albuquerque-Santa Fe.
NM	40450	91,912	KVIH–TV	CLOVIS	Amarillo.
NM	76268	1,148,810	KWBQ	SANTA FE	Albuquerque-Santa Fe.
NV	19191	611,981	KAME–TV	RENO	Reno.
NV	63768	1,959,858	KBLR	PARADISE	Las Vegas.
NV	63845	47,220	KENV–DT	ELKO	Salt Lake City.
NV	69677	2,062,231	KHSV	LAS VEGAS	Las Vegas.
NV	67089	2,002,066	KINC	LAS VEGAS	Las Vegas.
NV	35042	2,094,297	KLAS–TV	LAS VEGAS	Las Vegas.
NV	41237	2,064,592	KMCC	LAUGHLIN	Las Vegas.
NV	63331	959,178	KOLO–TV	RENO	Reno.
NV	51493	810,039	KREN–TV	RENO	Reno.
NV	60307	981,687	KRNV–DT	RENO	Reno.
NV	48360	713,121	KRXI–TV	RENO	Reno.
NV	10179	1,967,781	KSNV	LAS VEGAS	Las Vegas.
NV	74100	2,094,506	KTNV–TV	LAS VEGAS	Las Vegas.
NV	59139	955,300	KTVN	RENO	Reno.
NV	10195	1,967,550	KVCW	LAS VEGAS	Las Vegas.
NV	35870	2,042,029	KVVU–TV	HENDERSON	Las Vegas.
NY	1328	22,032,680	WABC–TV	NEW YORK	New York.
NY	9088	1,269,256	WBBZ–TV	SPRINGVILLE	Buffalo.
NY	23337	1,657,643	WBNG–TV	BINGHAMTON	Binghamton.
NY	9610	20,450,173	WCBS–TV	NEW YORK	New York.
NY	73264	1,698,469	WCWN	SCHENECTADY	Albany-Schenectady-Troy.
NY	71508	543,162	WENY–TV	ELMIRA	Elmira (Corning).
NY	60653	721,800	WETM–TV	ELMIRA	Elmira (Corning).
NY	60553	5,678,755	WFTY–DT	SMITHTOWN	New York.
NY	43424	633,597	WFXV	UTICA	Utica.
NY	64547	1,878,725	WGRZ	BUFFALO	Buffalo.
NY	73371	1,323,785	WHAM–TV	ROCHESTER	Rochester, NY.
NY	70041	1,322,243	WHEC–TV	ROCHESTER	Rochester, NY.
NY	62210	976,771	WICZ–TV	BINGHAMTON	Binghamton.
NY	7780	2,349,267	WIVB–TV	BUFFALO	Buffalo.
NY	11260	856,453	WIVT	BINGHAMTON	Binghamton.
NY	54176	2,033,929	WKBW–TV	BUFFALO	Buffalo.
NY	60654	1,573,503	WKTV	UTICA	Utica.
NY	73206	5,983,123	WLNY–TV	RIVERHEAD	New York.
NY	47535	20,287,515	WNBC	NEW YORK	New York.
NY	71905	1,538,108	WNLO	BUFFALO	Buffalo.
NY	30303	1,630,417	WNYB	JAMESTOWN	Buffalo.
NY	34329	1,081,302	WNYI	ITHACA	Syracuse.
NY	67784	1,539,525	WNYO–TV	BUFFALO	Buffalo.
NY	58725	1,928,924	WNYS–TV	SYRACUSE	Syracuse.
NY	73363	1,967,183	WNYT	ALBANY	Albany-Schenectady-Troy.
NY	22206	20,307,995	WNYW	NEW YORK	New York.
NY	73881	20,638,932	WPIX	NEW YORK	New York.
NY	57476	792,551	WPTZ	PLATTSBURGH	Burlington-Plattsburgh.
NY	2325	2,257,059	WPXJ–TV	BATAVIA	Buffalo.
NY	73356	19,501,764	WPXN–TV	NEW YORK	New York.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
NY	73942	2,886,233	WRGB	SCHENECTADY	Albany-Schenectady-Troy.
NY	74156	18,395,560	WRNN–TV	KINGSTON	New York.
NY	73964	1,187,949	WROC–TV	ROCHESTER	Rochester, NY.
NY	64352	1,106,838	WSPX–TV	SYRACUSE	Syracuse.
NY	21252	1,458,931	WSTM–TV	SYRACUSE	Syracuse.
NY	73113	1,329,933	WSYR–TV	SYRACUSE	Syracuse.
NY	40758	1,878,638	WSYT	SYRACUSE	Syracuse.
NY	67993	11,643,085	WTBY–TV	POUGHKEEPSIE	New York.
NY	74422	1,768,667	WTEN	ALBANY	Albany-Schenectady-Troy.
NY	74151	1,350,223	WTVH	SYRACUSE	Syracuse.
NY	413	1,152,580	WUHF	ROCHESTER	Rochester, NY.
NY	57837	526,114	WUTR	UTICA	Utica.
NY	415	1,405,230	WUTV	BUFFALO	Buffalo.
NY	68851	365,677	WWNY–TV	CARTHAGE	Watertown.
NY	16747	196,531	WWTI	WATERTOWN	Watertown.
NY	11970	1,775,667	WXXA–TV	ALBANY	Albany-Schenectady-Troy.
NY	77515	34,169	WYCI	SARANAC LAKE	Burlington-Plattsburgh.
NY	62219	393,843	WYDC	CORNING	Elmira (Corning).
NY	13933	1,167,975	WYPX–TV	AMSTERDAM	Albany-Schenectady-Troy.
OH	70138	3,504,674	WBDT	SPRINGFIELD	Dayton.
OH	71217	2,847,721	WBNS–TV	COLUMBUS	Columbus, OH.
OH	72958	3,642,304	WBNX–TV	AKRON	Cleveland-Akron (Canton).
OH	50781	2,756,260	WCMH–TV	COLUMBUS	Columbus, OH.
OH	59438	3,328,920	WCPO–TV	CINCINNATI	Cincinnati.
OH	67893	4,002,488	WDLI–TV	CANTON	Cleveland-Akron (Canton).
OH	65690	3,660,544	WDTN	DAYTON	Dayton.
OH	59441	4,112,984	WEWS–TV	CLEVELAND	Cleveland-Akron (Canton).
OH	72062	3,504,955	WFMJ–TV	YOUNGSTOWN	Youngstown.
OH	11027	1,991,462	WGGN–TV	SANDUSKY	Cleveland-Akron (Canton).
OH	41458	3,896,757	WHIO–TV	DAYTON	Dayton.
OH	61216	910,864	WHIZ–TV	ZANESVILLE	Zanesville.
OH	73150	3,977,148	WJW	CLEVELAND	Cleveland-Akron (Canton).
OH	73153	5,601,751	WKBN–TV	YOUNGSTOWN	Youngstown.
OH	73155	3,623,762	WKEF	DAYTON	Dayton.
OH	11289	3,281,914	WKRC–TV	CINCINNATI	Cincinnati.
OH	73195	4,154,903	WKYC	CLEVELAND	Cleveland-Akron (Canton).
OH	37503	1,070,641	WLIO	LIMA	Lima.
OH	17076	2,754,484	WLMB	TOLEDO	Toledo.
OH	46979	3,319,556	WLWT	CINCINNATI	Cincinnati.
OH	41893	1,561,367	WMFD–TV	MANSFIELD	Cleveland-Akron (Canton).
OH	73354	2,232,660	WNWO–TV	TOLEDO	Toledo.
OH	39746	3,821,233	WOIO	SHAKER HEIGHTS	Cleveland-Akron (Canton).
OH	65130	1,319,392	WQCW	PORTSMOUTH	Charleston-Huntington.
OH	60556	3,837,316	WQHS–DT	CLEVELAND	Cleveland-Akron (Canton).
OH	411	3,252,046	WRGT–TV	DAYTON	Dayton.
OH	43870	3,726,498	WRLM	CANTON	Cleveland-Akron (Canton).
OH	11118	2,188,828	WSFJ–TV	LONDON	Columbus, OH.
OH	11204	3,252,460	WSTR–TV	CINCINNATI	Cincinnati.
OH	56549	2,635,937	WSYX	COLUMBUS	Columbus, OH.
OH	1222	640,872	WTLW	LIMA	Lima.
OH	13992	4,184,020	WTOL	TOLEDO	Toledo.
OH	74122	3,892,886	WTOV–TV	STEUBENVILLE	Wheeling-Steubenville.
OH	74137	2,636,341	WTTE	COLUMBUS	Columbus, OH.
OH	74150	4,274,274	WTVG	TOLEDO	Toledo.
OH	8532	3,618,065	WUAB	LORAIN	Cleveland-Akron (Canton).
OH	19190	2,074,890	WUPW	TOLEDO	Toledo.
OH	70491	4,165,634	WVPX–TV	AKRON	Cleveland-Akron (Canton).
OH	21158	2,879,726	WWHO	CHILLICOTHE	Columbus, OH.
OH	4693	2,068,935	WYTV	YOUNGSTOWN	Youngstown.
OK	50182	1,608,476	KAUT–TV	OKLAHOMA CITY	Oklahoma City.
OK	1005	1,156,836	KDOR–TV	BARTLESVILLE	Tulsa.
OK	66222	1,639,592	KFOR–TV	OKLAHOMA CITY	Oklahoma City.
OK	24485	974,918	KGEB	TULSA	Tulsa.
OK	59439	1,416,108	KJRH–TV	TULSA	Tulsa.
OK	54420	1,314,238	KMYT–TV	TULSA	Tulsa.
OK	50170	1,629,783	KOCB	OKLAHOMA CITY	Oklahoma City.
OK	84225	1,386,231	KOCM	NORMAN	Oklahoma City.
OK	12508	1,716,569	KOCO–TV	OKLAHOMA CITY	Oklahoma City.
OK	35388	1,627,116	KOKH–TV	OKLAHOMA CITY	Oklahoma City.
OK	11910	1,366,220	KOKI–TV	TULSA	Tulsa.
OK	2566	1,513,730	KOPX–TV	OKLAHOMA CITY	Oklahoma City.
OK	35434	1,417,675	KOTV–DT	TULSA	Tulsa.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
OK	78322	1,128,198	KQCW–DT	MUSKOGEE	Tulsa.
OK	38214	1,577,231	KSBI	OKLAHOMA CITY	Oklahoma City.
OK	35645	483,132	KSWO–TV	LAWTON	Wichita Falls & Lawton.
OK	67999	1,585,283	KTBO–TV	OKLAHOMA CITY	Oklahoma City.
OK	35666	566,422	KTEN	ADA	Sherman-Ada.
OK	7078	1,066,196	KTPX–TV	OKMULGEE	Tulsa.
OK	35685	1,416,959	KTUL	TULSA	Tulsa.
OK	77480	1,668,531	KTUZ–TV	SHAWNEE	Oklahoma City.
OK	86532	28,974	KUOK	WOODWARD	Oklahoma City.
OK	37099	1,104,914	KWHB	TULSA	Tulsa.
OK	25382	1,628,106	KWTV–DT	OKLAHOMA CITY	Oklahoma City.
OR	21649	2,978,043	KATU	PORTLAND	Portland, OR.
OR	83306	297,384	KBLN–TV	GRANTS PASS	Medford-Klamath Falls.
OR	49750	89,156	KCBY–TV	COOS BAY	Eugene.
OR	60740	71,413	KDKF	KLAMATH FALLS	Medford-Klamath Falls.
OR	60736	519,706	KDRV	MEDFORD	Medford-Klamath Falls.
OR	34406	885,667	KEZI	EUGENE	Eugene.
OR	12729	409,952	KFFX–TV	PENDLETON	Yakima-Pasco-Rchlnd-Knnwck.
OR	34874	3,058,216	KGW	PORTLAND	Portland, OR.
OR	8322	564,415	KLSR–TV	EUGENE	Eugene.
OR	35183	69,357	KMCB	COOS BAY	Eugene.
OR	35189	589,948	KMTR	EUGENE	Eugene.
OR	32958	308,150	KMVU–DT	MEDFORD	Medford-Klamath Falls.
OR	47707	2,887,145	KNMT	PORTLAND	Portland, OR.
OR	8260	571,963	KOBI	MEDFORD	Medford-Klamath Falls.
OR	166534	201,310	KOHD	BEND	Bend, OR.
OR	35380	2,983,136	KOIN	PORTLAND	Portland, OR.
OR	8284	298,175	KOTI	KLAMATH FALLS	Medford-Klamath Falls.
OR	61551	156,687	KPIC	ROSEBURG	Eugene.
OR	50633	2,998,460	KPTV	PORTLAND	Portland, OR.
OR	5801	3,026,219	KPXG–TV	SALEM	Portland, OR.
OR	10192	2,966,577	KRCW–TV	SALEM	Portland, OR.
OR	35187	100,392	KTCW	ROSEBURG	Eugene.
OR	31437	137,239	KTVC	ROSEBURG	Eugene.
OR	22570	415,327	KTVL	MEDFORD	Medford-Klamath Falls.
OR	55907	201,828	KTVZ	BEND	Bend, OR.
OR	81447	130,559	KUNP	LA GRANDE	Portland, OR.
OR	49766	1,016,673	KVAL–TV	EUGENE	Eugene.
PA	25454	3,611,796	KDKA–TV	PITTSBURGH	Pittsburgh.
PA	25453	11,061,941	KYW–TV	PHILADELPHIA	Philadelphia.
PA	20287	937,438	WATM–TV	ALTOONA	Johnstown-Altoona-St. Colge.
PA	60850	12,689,628	WBPH–TV	BETHLEHEM	Philadelphia.
PA	71225	3,553,761	WBRE–TV	WILKES–BARRE	Wilkes Barre-Scranton-Hztn.
PA	63153	11,005,603	WCAU	PHILADELPHIA	Philadelphia.
PA	39884	8,248,248	WFMZ–TV	ALLENTOWN	Philadelphia.
PA	19707	583,315	WFXP	ERIE	Erie.
PA	53930	7,775,662	WGAL	LANCASTER	Harrisburg-Lncstr-Leb-York.
PA	55350	2,829,585	WGCB–TV	RED LION	Harrisburg-Lncstr-Leb-York.
PA	72313	3,045,718	WHP–TV	HARRISBURG	Harrisburg-Lncstr-Leb-York.
PA	72326	2,829,585	WHTM–TV	HARRISBURG	Harrisburg-Lncstr-Leb-York.
PA	24970	716,630	WICU–TV	ERIE	Erie.
PA	41314	2,804,646	WINP–TV	PITTSBURGH	Pittsburgh.
PA	73120	2,235,542	WJAC–TV	JOHNSTOWN	Johnstown-Altoona-St. Colge.
PA	65749	704,806	WJET–TV	ERIE	Erie.
PA	13929	831,411	WKBS–TV	ALTOONA	Pittsburgh.
PA	73318	3,131,848	WNEP–TV	SCRANTON	Wilkes Barre-Scranton-Hztn.
PA	73375	3,006,606	WOLF–TV	HAZLETON	Wilkes Barre-Scranton-Hztn.
PA	13924	2,722,282	WPCB–TV	GREENSBURG	Pittsburgh.
PA	69880	3,393,365	WPCW	JEANNETTE	Pittsburgh.
PA	73875	3,132,507	WPGH–TV	PITTSBURGH	Pittsburgh.
PA	73879	10,421,216	WPHL–TV	PHILADELPHIA	Philadelphia.
PA	10213	5,455,579	WPMT	YORK	Harrisburg-Lncstr-Leb-York.
PA	73907	3,130,920	WPNT	PITTSBURGH	Pittsburgh.
PA	12499	10,232,988	WPSG	PHILADELPHIA	Philadelphia.
PA	8616	13,926,891	WPVI–TV	PHILADELPHIA	Philadelphia.
PA	73910	3,282,555	WPXI	PITTSBURGH	Pittsburgh.
PA	52075	410,269	WQMY	WILLIAMSPORT	Wilkes Barre-Scranton-Hztn.
PA	64690	1,515,992	WQPX–TV	SCRANTON	Wilkes Barre-Scranton-Hztn.
PA	49711	556,533	WSEE–TV	ERIE	Erie.
PA	73374	1,500,450	WSWB	SCRANTON	Wilkes Barre-Scranton-Hztn.
PA	65681	2,967,614	WTAE–TV	PITTSBURGH	Pittsburgh.
PA	23341	1,080,523	WTAJ–TV	ALTOONA	Johnstown-Altoona-St. Colge.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
PA	55305	7,802,937	WTVE	WILLOW GROVE	Philadelphia.
PA	51568	9,479,256	WTXF–TV	PHILADELPHIA	Philadelphia.
PA	20295	2,811,278	WWCP–TV	JOHNSTOWN	Johnstown-Altoona-St. Colge.
PA	23338	4,166,776	WXBU	LANCASTER	Harrisburg-Lncstr-Leb-York.
PA	17010	3,553,761	WYOU	SCRANTON	Wilkes Barre-Scranton-Hztn.
PR	52073	3,764,742	WAPA–TV	SAN JUAN	Puerto Rico.
PR	3001	3,417,254	WCCV–TV	ARECIBO	Puerto Rico.
PR	4110	2,847,789	WDWL	BAYAMON	Puerto Rico.
PR	19561	2,886,669	WECN	NARANJITO	Puerto Rico.
PR	18410	2,559,306	WIDP	GUAYAMA	Puerto Rico.
PR	39887	3,714,677	WIRS	YAUCO	Puerto Rico.
PR	58340	3,254,481	WJPX	SAN JUAN	Puerto Rico.
PR	58342	1,962,885	WJWN–TV	SAN SEBASTIAN	Puerto Rico.
PR	64983	3,697,088	WKAQ–TV	SAN JUAN	Puerto Rico.
PR	58341	2,550,642	WKPV	PONCE	Puerto Rico.
PR	19777	2,801,102	WLII–DT	CAGUAS	Puerto Rico.
PR	73336	1,585,248	WNJX–TV	MAYAGUEZ	Puerto Rico.
PR	71725	2,896,629	WOLE–DT	AGUADILLA	Puerto Rico.
PR	64865	2,733,629	WORA–TV	MAYAGUEZ	Puerto Rico.
PR	73901	3,375,571	WORO–DT	FAJARDO	Puerto Rico.
PR	60357	921,993	WOST	MAYAGUEZ	Puerto Rico.
PR	3255	1,052,107	WQHA	AGUADA	Puerto Rico.
PR	54443	2,674,527	WRFB	CAROLINA	Puerto Rico.
PR	15320	2,905,193	WRUA	FAJARDO	Puerto Rico.
PR	4077	2,662,340	WSJU–TV	SAN JUAN	Puerto Rico.
PR	60341	3,723,967	WSTE–DT	PONCE	Puerto Rico.
PR	19776	3,716,312	WSUR–DT	PONCE	Puerto Rico.
PR	28954	3,254,481	WTCV	SAN JUAN	Puerto Rico.
PR	26681	3,714,547	WTIN–TV	PONCE	Puerto Rico.
PR	61573	1,153,382	WVEO	AGUADILLA	Puerto Rico.
PR	29000	1,166,833	WVOZ–TV	PONCE	Puerto Rico.
PR	67190	2,869,888	WVSN	HUMACAO	Puerto Rico.
RI	50780	6,537,858	WJAR	PROVIDENCE	Providence-New Bedford.
RI	73311	7,310,183	WNAC–TV	PROVIDENCE	Providence-New Bedford.
RI	47404	7,306,169	WPRI–TV	PROVIDENCE	Providence-New Bedford.
RI	50063	3,281,532	WPXQ–TV	BLOCK ISLAND	Providence-New Bedford.
SC	19199	1,317,429	WACH	COLUMBIA	Columbia, SC.
SC	66407	1,975,457	WBTW	FLORENCE	Myrtle Beach-Florence.
SC	10587	1,100,127	WCBD–TV	CHARLESTON	Charleston, SC.
SC	9015	1,125,558	WCIV	CHARLESTON	Charleston, SC.
SC	71297	1,014,501	WCSC–TV	CHARLESTON	Charleston, SC.
SC	9054	1,511,681	WFXB	MYRTLE BEACH	Myrtle Beach-Florence.
SC	9064	2,163,321	WGGS–TV	GREENVILLE	Greenvll-Spart-Ashevll-And.
SC	21536	986,963	WGWG	CHARLESTON	Charleston, SC.
SC	72300	2,549,397	WHNS	GREENVILLE	Greenvll-Spart-Ashevll-And.
SC	13990	2,644,715	WIS	COLUMBIA	Columbia, SC.
SC	40902	1,386,422	WKTC	SUMTER	Columbia, SC.
SC	37176	1,597,791	WLTX	COLUMBIA	Columbia, SC.
SC	83969	445,363	WMBF–TV	MYRTLE BEACH	Myrtle Beach-Florence.
SC	56548	1,577,439	WMYA–TV	ANDERSON	Greenvll-Spart-Ashevll-And.
SC	20624	3,551,284	WMYT–TV	ROCK HILL	Charlotte.
SC	60963	2,635,115	WOLO–TV	COLUMBIA	Columbia, SC.
SC	17012	1,764,645	WPDE–TV	FLORENCE	Myrtle Beach-Florence.
SC	66391	3,393,072	WSPA–TV	SPARTANBURG	Greenvll-Spart-Ashevll-And.
SC	416	1,153,279	WTAT–TV	CHARLESTON	Charleston, SC.
SC	27245	967,792	WTGS	HARDEEVILLE	Savannah.
SC	3133	1,460,406	WWMB	FLORENCE	Myrtle Beach-Florence.
SC	53905	2,586,888	WYFF	GREENVILLE	Greenvll-Spart-Ashevll-And.
SC	136750	952,279	WZRB	COLUMBIA	Columbia, SC.
SD	48659	137,331	KABY–TV	ABERDEEN	Sioux Falls (Mitchell).
SD	41969	138,413	KCLO–TV	RAPID CITY	Rapid City.
SD	41975	208,354	KDLO–TV	FLORENCE	Sioux Falls (Mitchell).
SD	55379	645,391	KDLT–TV	SIOUX FALLS	Sioux Falls (Mitchell).
SD	55375	96,873	KDLV–TV	MITCHELL	Sioux Falls (Mitchell).
SD	41983	705,364	KELO–TV	SIOUX FALLS	Sioux Falls (Mitchell).
SD	17688	181,345	KHME	RAPID CITY	Rapid City.
SD	34348	188,735	KHSD–TV	LEAD	Rapid City.
SD	81464	145,493	KNBN	RAPID CITY	Rapid City.
SD	34347	174,876	KOTA–TV	RAPID CITY	Rapid City.
SD	41964	55,827	KPLO–TV	RELIANCE	Sioux Falls (Mitchell).
SD	48660	42,521	KPRY–TV	PIERRE	Sioux Falls (Mitchell).
SD	17686	188,783	KQME	LEAD	Rapid City.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
SD	48658	670,536	KSFY–TV	SIOUX FALLS	Sioux Falls (Mitchell).
SD	28501	76,133	KTTM	HURON	Sioux Falls (Mitchell).
SD	28521	329,557	KTTW	SIOUX FALLS	Sioux Falls (Mitchell).
SD	29121	280,675	KWSD	SIOUX FALLS	Sioux Falls-Mitchell.
TN	71082	1,874,433	WATE–TV	KNOXVILLE	Knoxville.
TN	11907	1,787,595	WATN–TV	MEMPHIS	Memphis.
TN	65204	662,148	WBBJ–TV	JACKSON	Jackson, TN.
TN	46984	1,978,347	WBIR–TV	KNOXVILLE	Knoxville.
TN	72971	2,142,548	WBXX–TV	CROSSVILLE	Knoxville.
TN	54385	1,731,483	WDEF–TV	CHATTANOOGA	Chattanooga.
TN	71353	1,061,573	WDSI–TV	CHATTANOOGA	Chattanooga.
TN	40761	1,727,493	WEMT	GREENEVILLE	Tri-Cities, TN-VA.
TN	72060	1,272,913	WFLI–TV	CLEVELAND	Chattanooga.
TN	12521	1,736,335	WHBQ–TV	MEMPHIS	Memphis.
TN	11117	1,872,713	WHTN	MURFREESBORO	Nashville.
TN	7651	1,744,291	WJFB	LEBANON	Nashville.
TN	57826	2,202,140	WJHL–TV	JOHNSON CITY	Tri-Cities, TN-VA.
TN	68519	654,460	WJKT	JACKSON	Jackson TN.
TN	83931	1,684,178	WKNX–TV	KNOXVILLE	Knoxville.
TN	27504	1,085,875	WKPT–TV	KINGSPORT	Tri-Cities, TN-VA.
TN	73188	2,410,573	WKRN–TV	NASHVILLE	Nashville.
TN	68518	1,736,552	WLMT	MEMPHIS	Memphis.
TN	19184	2,047,403	WMC–TV	MEMPHIS	Memphis.
TN	73310	2,072,197	WNAB	NASHVILLE	Nashville.
TN	28468	2,216,062	WNPX–TV	COOKEVILLE	Nashville.
TN	60820	2,355,629	WPGD–TV	HENDERSONVILLE	Nashville.
TN	52628	1,907,446	WPXK–TV	JELLICO	Knoxville.
TN	21726	1,565,527	WPXX–TV	MEMPHIS	Memphis.
TN	59137	1,587,742	WRCB	CHATTANOOGA	Chattanooga.
TN	66174	1,642,307	WREG–TV	MEMPHIS	Memphis.
TN	41232	2,447,769	WSMV–TV	NASHVILLE	Nashville.
TN	19200	1,722,805	WTNZ	KNOXVILLE	Knoxville.
TN	22590	1,579,628	WTVC	CHATTANOOGA	Chattanooga.
TN	36504	2,416,110	WTVF	NASHVILLE	Nashville.
TN	9971	2,316,872	WUXP–TV	NASHVILLE	Nashville.
TN	81750	1,412,728	WVLR	TAZEWELL	Knoxville.
TN	35908	1,874,453	WVLT–TV	KNOXVILLE	Knoxville.
TN	418	2,311,143	WZTV	NASHVILLE	Nashville.
TX	56528	2,474,296	KABB	SAN ANTONIO	San Antonio.
TX	148	2,615,956	KAKW–DT	KILLEEN	Austin.
TX	40820	391,526	KAMC	LUBBOCK	Lubbock.
TX	8523	366,476	KAMR–TV	AMARILLO	Amarillo.
TX	6864	381,671	KAUZ–TV	WICHITA FALLS	Wichita Falls & Lawton.
TX	73101	320,484	KAVU–TV	VICTORIA	Victoria.
TX	17433	6,747,915	KAZD	LAKE DALLAS	Dallas-Ft. Worth.
TX	10150	743,009	KBMT	BEAUMONT	Beaumont-Port Arthur.
TX	61214	714,432	KBTV–TV	PORT ARTHUR	Beaumont-Port Arthur.
TX	6669	4,048,516	KBTX–TV	BRYAN	Waco-Temple-Bryan.
TX	35909	1,498,015	KBVO	LLANO	Austin.
TX	27507	414,804	KCBD	LUBBOCK	Lubbock.
TX	83913	783,100	KCEB	LONGVIEW	Tyler-Longview (Lfkn&Ncgd).
TX	10245	1,795,767	KCEN–TV	TEMPLE	Waco-Temple-Bryan.
TX	33722	382,477	KCIT	AMARILLO	Amarillo.
TX	24316	3,961,044	KCWX	FREDERICKSBURG	San Antonio.
TX	22201	6,648,507	KDAF	DALLAS	Dallas-Ft. Worth.
TX	33764	1,015,564	KDBC–TV	EL PASO	El Paso (Las Cruces).
TX	17037	6,605,830	KDFI	DALLAS	Dallas-Ft. Worth.
TX	33770	6,658,976	KDFW	DALLAS	Dallas-Ft. Worth.
TX	67910	6,593,327	KDTX–TV	DALLAS	Dallas-Ft. Worth.
TX	26304	2,493,265	KENS	SAN ANTONIO	San Antonio.
TX	55643	1,031,567	KETK–TV	JACKSONVILLE	Tyler-Longview (Lfkn&Ncgd).
TX	33691	2,588,622	KEYE–TV	AUSTIN	Austin.
TX	83715	339,348	KEYU	BORGER	Amarillo.
TX	51466	385,064	KFDA–TV	AMARILLO	Amarillo.
TX	22589	679,470	KFDM	BEAUMONT	Beaumont-Port Arthur.
TX	65370	381,703	KFDX–TV	WICHITA FALLS	Wichita Falls & Lawton.
TX	33716	1,023,999	KFOX–TV	EL PASO	El Paso (Las Cruces).
TX	60537	6,080,688	KFTH–DT	ALVIN	Houston.
TX	29015	6,610,836	KFWD	FORT WORTH	Dallas-Ft. Worth.
TX	70917	926,496	KFXK–TV	LONGVIEW	Tyler-Longview (Lfkn&Ncgd).
TX	34457	1,230,798	KGBT–TV	HARLINGEN	Harlingen-Wslco-Brnsvl-McA.
TX	10061	267,236	KGNS–TV	LAREDO	Laredo.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
TX	34529	6,137,449	KHOU	HOUSTON	Houston.
TX	23394	6,054,519	KIAH	HOUSTON	Houston.
TX	58560	116,614	KIDY	SAN ANGELO	San Angelo.
TX	10188	569,864	KIII	CORPUS CHRISTI	Corpus Christi.
TX	51708	1,015,582	KINT–TV	EL PASO	El Paso (Las Cruces).
TX	7675	379,594	KJTL	WICHITA FALLS	Wichita Falls & Lawton.
TX	55031	409,786	KJTV–TV	LUBBOCK	Lubbock.
TX	3660	387,909	KLBK–TV	LUBBOCK	Lubbock.
TX	77719	376,430	KLCW–TV	WOLFFORTH	Lubbock.
TX	51479	250,832	KLDO–TV	LAREDO	Laredo.
TX	31114	199,067	KLST	SAN ANGELO	San Angelo.
TX	68540	1,069,690	KLTV	TYLER	Tyler-Longview (Lfkn&Ncgd).
TX	56079	1,225,732	KMBH	HARLINGEN	Harlingen-Wslco-Brnsvl-McA.
TX	35131	383,449	KMID	MIDLAND	Odessa-Midland.
TX	53541	293,290	KMLM–DT	ODESSA	Odessa-Midland.
TX	73701	6,678,829	KMPX	DECATUR	Dallas-Ft. Worth.
TX	51518	2,273,888	KMYS	KERRVILLE	San Antonio.
TX	125710	2,398,296	KNIC–DT	BLANCO	San Antonio.
TX	144	2,412,222	KNVA	AUSTIN	Austin.
TX	69692	1,241,165	KNVO	MCALLEN	Harlingen-Wslco-Brnsvl-McA.
TX	64877	560,983	KORO	CORPUS CHRISTI	Corpus Christi.
TX	6865	340,978	KOSA–TV	ODESSA	Odessa-Midland.
TX	77452	30,861	KPCB–DT	SNYDER	Abilene-Sweetwater.
TX	12524	368,212	KPEJ–TV	ODESSA	Odessa-Midland.
TX	53117	6,099,422	KPRC–TV	HOUSTON	Houston.
TX	53544	322,780	KPTB–DT	LUBBOCK	Lubbock.
TX	81445	84,512	KPTF–DT	FARWELL	Amarillo.
TX	58835	6,082,624	KPXB–TV	CONROE	Houston.
TX	68834	6,603,994	KPXD–TV	ARLINGTON	Dallas-Ft. Worth.
TX	61173	2,257,007	KPXL–TV	UVALDE	San Antonio.
TX	306	229,395	KRBC–TV	ABILENE	Abilene-Sweetwater.
TX	43328	1,247,057	KRGV–TV	WESLACO	Harlingen-Wslco-Brnsvl-McA.
TX	25559	561,825	KRIS–TV	CORPUS CHRISTI	Corpus Christi.
TX	22204	6,078,936	KRIV	HOUSTON	Houston.
TX	307	135,063	KSAN–TV	SAN ANGELO	San Angelo.
TX	53118	2,530,706	KSAT–TV	SAN ANTONIO	San Antonio.
TX	82910	502,915	KSCC	CORPUS CHRISTI	Corpus Christi.
TX	60534	6,617,736	KSTR–DT	IRVING	Dallas-Ft. Worth.
TX	59988	270,967	KTAB–TV	ABILENE	Abilene-Sweetwater.
TX	35648	1,110,819	KTAL–TV	TEXARKANA	Shreveport.
TX	35649	3,242,215	KTBC	AUSTIN	Austin.
TX	28324	6,076,521	KTBU	CONROE	Houston.
TX	68753	1,015,088	KTFN	EL PASO	El Paso (Las Cruces).
TX	62354	1,014,202	KTLM	RIO GRANDE CITY	Harlingen-Wslco-Brnsvl-McA.
TX	64984	6,074,240	KTMD	GALVESTON	Houston.
TX	68541	441,879	KTRE	LUFKIN	Tyler-Longview (Lfkn&Ncgd).
TX	35675	6,114,259	KTRK–TV	HOUSTON	Houston.
TX	67760	1,015,348	KTSM–TV	EL PASO	El Paso (Las Cruces).
TX	23422	6,912,366	KTVT	FORT WORTH	Dallas-Ft. Worth.
TX	51517	6,876,811	KTXA	FORT WORTH	Dallas-Ft. Worth.
TX	42359	6,546,692	KTXD–TV	GREENVILLE	Dallas-Ft. Worth.
TX	51569	6,092,710	KTXH	HOUSTON	Houston.
TX	308	247,603	KTXS–TV	SWEETWATER	Abilene-Sweetwater.
TX	70492	6,062,183	KUBE–TV	BAYTOWN	Houston.
TX	86263	318,914	KUPB	MIDLAND	Odessa-Midland.
TX	35841	6,682,825	KUVN–DT	GARLAND	Dallas-Ft. Worth.
TX	32621	76,153	KVAW	EAGLE PASS	San Antonio.
TX	35846	288,221	KVCT	VICTORIA	Victoria.
TX	64969	2,400,582	KVDA	SAN ANTONIO	San Antonio.
TX	12523	1,244,504	KVEO–TV	BROWNSVILLE	Harlingen-Wslco-Brnsvl-McA.
TX	49832	1,015,350	KVIA–TV	EL PASO	El Paso (Las Cruces).
TX	40446	379,042	KVII–TV	AMARILLO	Amarillo.
TX	35867	2,661,290	KVUE	AUSTIN	Austin.
TX	42008	50,707	KWAB–TV	BIG SPRING	Odessa-Midland.
TX	42007	424,862	KWES–TV	ODESSA	Odessa-Midland.
TX	35881	2,365,653	KWEX–DT	SAN ANTONIO	San Antonio.
TX	12522	1,010,550	KWKT–TV	WACO	Waco-Temple-Bryan.
TX	35903	2,071,023	KWTX–TV	WACO	Waco-Temple-Bryan.
TX	84410	293,291	KWWT	ODESSA	Odessa-Midland.
TX	35920	2,678,666	KXAN–TV	AUSTIN	Austin.
TX	49330	6,707,738	KXAS–TV	FORT WORTH	Dallas-Ft. Worth.
TX	35954	2,323,974	KXII	SHERMAN	Sherman-Ada.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
TX	53847	6,078,071	KXLN–DT	ROSENBERG	Houston.
TX	35994	6,716,749	KXTX–TV	DALLAS	Dallas-Ft. Worth.
TX	62293	185,478	KXVA	ABILENE	Abilene-Sweetwater.
TX	9781	1,771,620	KXXV	WACO	Waco-Temple-Bryan.
TX	31870	6,075,053	KYAZ	KATY	Houston.
TX	60384	324,032	KYLE–TV	BRYAN	Waco-Temple-Bryan.
TX	55644	901,751	KYTX	NACOGDOCHES	Tyler-Longview (Lfkn&Ncgd).
TX	55762	67,201	KYVV–TV	DEL RIO	San Antonio.
TX	69531	6,007,975	KZJL	HOUSTON	Houston.
TX	33079	567,635	KZTV	CORPUS CHRISTI	Corpus Christi.
TX	72054	6,957,935	WFAA	DALLAS	Dallas-Ft. Worth.
TX	69618	2,457,441	WOAI–TV	SAN ANTONIO	San Antonio.
UT	59494	174,814	KCSG	CEDAR CITY	Salt Lake City.
UT	36607	2,354,970	KJZZ–TV	SALT LAKE CITY	Salt Lake City.
UT	35822	133,563	KMYU	ST. GEORGE	Salt Lake City.
UT	77512	2,394,311	KPNZ	OGDEN	Salt Lake City.
UT	6359	2,390,852	KSL–TV	SALT LAKE CITY	Salt Lake City.
UT	22215	2,384,996	KSTU	SALT LAKE CITY	Salt Lake City.
UT	10177	2,261,671	KTMW	SALT LAKE CITY	Salt Lake City.
UT	68889	2,387,093	KTVX	SALT LAKE CITY	Salt Lake City.
UT	1136	2,351,678	KUCW	OGDEN	Salt Lake City.
UT	57884	2,374,672	KUPX–TV	PROVO	Salt Lake City.
UT	69694	1,210,774	KUTF	LOGAN	Salt Lake City.
UT	81451	2,219,788	KUTH–DT	PROVO	Salt Lake City.
UT	35823	2,388,211	KUTV	SALT LAKE CITY	Salt Lake City.
VA	71127	2,039,358	WAVY–TV	PORTSMOUTH	Norfolk-Portsmth-Newpt Nws.
VA	363	949,729	WCAV	CHARLOTTESVILLE	Charlottesville.
VA	2455	3,032,475	WCYB–TV	BRISTOL	Tri-Cities, TN-VA.
VA	71329	1,606,844	WDBJ	ROANOKE	Roanoke-Lynchburg.
VA	69532	8,155,998	WFDC–DT	ARLINGTON	Washington, DC (Hagrstwn).
VA	15507	976,733	WFFP–TV	DANVILLE	Roanoke-Lynchburg.
VA	24813	1,432,348	WFXR	ROANOKE	Roanoke-Lynchburg.
VA	9762	1,875,612	WGNT	PORTSMOUTH	Norfolk-Portsmth-Newpt Nws.
VA	4688	1,052,641	WHSV–TV	HARRISONBURG	Harrisonburg.
VA	37808	1,614,456	WLFG	GRUNDY	Tri-Cities, TN-VA.
VA	70251	1,300,747	WPXR–TV	ROANOKE	Roanoke-Lynchburg.
VA	67077	1,905,128	WPXV–TV	NORFOLK	Norfolk-Portsmth-Newpt Nws.
VA	74091	8,091,469	WPXW–TV	MANASSAS	Washington, DC (Hagrstwn).
VA	74416	1,996,265	WRIC–TV	PETERSBURG	Richmond-Petersburg.
VA	412	1,950,292	WRLH–TV	RICHMOND	Richmond-Petersburg.
VA	73988	1,569,722	WSET–TV	LYNCHBURG	Roanoke-Lynchburg.
VA	57840	1,440,376	WSLS–TV	ROANOKE	Roanoke-Lynchburg.
VA	47401	2,142,272	WTKR	NORFOLK	Norfolk-Portsmth-Newpt Nws.
VA	82574	2,167,863	WTPC–TV	VIRGINIA BEACH	Norfolk-Portsmth-Newpt Nws.
VA	57832	1,808,516	WTVR–TV	RICHMOND	Richmond-Petersburg.
VA	40759	2,156,534	WTVZ–TV	NORFOLK	Norfolk-Portsmth-Newpt Nws.
VA	10897	1,654,049	WUPV	ASHLAND	Richmond-Petersburg.
VA	65387	1,848,277	WVBT	VIRGINIA BEACH	Norfolk-Portsmth-Newpt Nws.
VA	74167	2,179,223	WVEC	HAMPTON	Norfolk-Portsmth-Newpt Nws.
VA	70309	1,944,353	WVIR–TV	CHARLOTTESVILLE	Charlottesville.
VA	30833	1,911,854	WWBT	RICHMOND	Richmond-Petersburg.
VA	24812	1,404,553	WWCW	LYNCHBURG	Roanoke-Lynchburg.
VI	83304	50,601	WCVI–TV	CHRISTIANSTED	Virgin Islands.
VI	2370	50,601	WSVI	CHRISTIANSTED	Virgin Islands.
VI	3113	85,191	WVXF	CHARLOTTE AMALIE	Virgin Islands.
VI	83270	55,804	WZVI	CHARLOTTE AMALIE	Virgin Islands.
VT	46728	784,748	WCAX–TV	BURLINGTON	Burlington-Plattsburgh.
VT	10132	592,012	WFFF–TV	BURLINGTON	Burlington-Plattsburgh.
VT	73344	1,042,386	WNNE	MONTPELIER	Burlington-Plattsburgh.
VT	11259	721,176	WVNY	BURLINGTON	Burlington-Plattsburgh.
WA	2506	319,797	KAPP	YAKIMA	Yakima-Pasco-Rchlnd-Knnwck.
WA	58684	809,464	KAYU–TV	SPOKANE	Spokane.
WA	53586	1,256,193	KBCB	BELLINGHAM	Seattle-Tacoma.
WA	33894	4,439,875	KCPQ	TACOMA	Seattle-Tacoma.
WA	56029	453,259	KEPR–TV	PASCO	Yakima-Pasco-Rchlnd-Knnwck.
WA	49264	3,783,380	KFFV	SEATTLE	Seattle-Tacoma.
WA	81694	698,441	KGPX–TV	SPOKANE	Spokane.
WA	34537	822,371	KHQ–TV	SPOKANE	Spokane.
WA	56033	308,604	KIMA–TV	YAKIMA	Yakima-Pasco-Rchlnd-Knnwck.
WA	34847	4,063,674	KING–TV	SEATTLE	Seattle-Tacoma.
WA	66781	4,058,846	KIRO–TV	SEATTLE	Seattle-Tacoma.
WA	12395	314,875	KNDO	YAKIMA	Yakima-Pasco-Rchlnd-Knnwck.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
WA	12427	475,612	KNDU	RICHLAND	Yakima-Pasco-Rchlnd-Knnwck.
WA	21656	4,123,984	KOMO–TV	SEATTLE	Seattle-Tacoma.
WA	35396	4,006,008	KONG	EVERETT	Seattle-Tacoma.
WA	35460	2,970,703	KPDX	VANCOUVER	Portland, OR.
WA	78921	697,016	KQUP	PULLMAN	Spokane.
WA	34868	817,619	KREM	SPOKANE	Spokane.
WA	35606	731,818	KSKN	SPOKANE	Spokane.
WA	23428	4,265,956	KSTW	TACOMA	Seattle-Tacoma.
WA	67950	4,202,104	KTBW–TV	TACOMA	Seattle-Tacoma.
WA	4624	4,023,436	KUNS–TV	BELLEVUE	Seattle-Tacoma.
WA	2495	471,342	KVEW	KENNEWICK	Yakima-Pasco-Rchlnd-Knnwck.
WA	35862	2,019,168	KVOS–TV	BELLINGHAM	Seattle-Tacoma.
WA	56852	4,220,008	KWPX–TV	BELLEVUE	Seattle-Tacoma.
WA	69571	4,179,154	KZJO	SEATTLE	Seattle-Tacoma.
WI	33658	275,585	KBJR–TV	SUPERIOR	Duluth-Superior.
WI	361	920,090	WACY–TV	APPLETON	Green Bay-Appleton.
WI	64546	636,957	WAOW	WAUSAU	Wausau-Rhinelander.
WI	74417	1,225,928	WBAY–TV	GREEN BAY	Green Bay-Appleton.
WI	73042	1,040,984	WCWF	SURING	Green Bay-Appleton.
WI	71427	3,085,540	WDJT–TV	MILWAUKEE	Milwaukee.
WI	7893	991,019	WEAU	EAU CLAIRE	La Crosse-Eau Claire.
WI	2709	379,158	WEUX	CHIPPEWA FALLS	La Crosse-Eau Claire.
WI	9635	1,201,204	WFRV–TV	GREEN BAY	Green Bay-Appleton.
WI	2708	1,134,279	WGBA–TV	GREEN BAY	Green Bay-Appleton.
WI	26025	1,400,358	WIFS	JANESVILLE	Madison.
WI	65143	1,830,642	WISC–TV	MADISON	Madison.
WI	65680	2,938,180	WISN–TV	MILWAUKEE	Milwaukee.
WI	73107	3,117,326	WITI	MILWAUKEE	Milwaukee.
WI	60571	3,462,960	WIWN	FOND DU LAC	Milwaukee.
WI	49699	277,530	WJFW–TV	RHINELANDER	Wausau-Rhinelander.
WI	74424	866,325	WKBT–DT	LA CROSSE	La Crosse-Eau Claire.
WI	64545	1,918,224	WKOW	MADISON	Madison.
WI	2710	513,319	WLAX	LA CROSSE	La Crosse-Eau Claire.
WI	4150	1,251,563	WLUK–TV	GREEN BAY	Green Bay-Appleton.
WI	68545	2,708,202	WMLW–TV	RACINE	Milwaukee.
WI	81503	121,150	WMOW	CRANDON	Wausau-Rhinelander.
WI	10221	1,579,847	WMSN–TV	MADISON	Madison.
WI	6870	1,548,616	WMTV	MADISON	Madison.
WI	37104	3,163,550	WPXE–TV	KENOSHA	Milwaukee.
WI	64550	367,516	WQOW	EAU CLAIRE	La Crosse-Eau Claire.
WI	6867	652,442	WSAW–TV	WAUSAU	Wausau-Rhinelander.
WI	74098	3,010,678	WTMJ–TV	MILWAUKEE	Milwaukee.
WI	86496	238,151	WTPX–TV	ANTIGO	Wausau-Rhinelander.
WI	72342	2,543,642	WVCY–TV	MILWAUKEE	Milwaukee.
WI	74174	2,999,694	WVTV	MILWAUKEE	Milwaukee.
WI	68547	2,235,958	WWRS–TV	MAYVILLE	Milwaukee.
WI	64549	424,268	WXOW	LA CROSSE	La Crosse-Eau Claire.
WI	77789	91,233	WYOW	EAGLE RIVER	Wausau-Rhinelander.
WV	71220	711,302	WBOY–TV	CLARKSBURG	Clarksburg-Weston.
WV	71280	1,303,787	WCHS–TV	CHARLESTON	Charleston-Huntington.
WV	70592	962,532	WDTV	WESTON	Clarksburg-Weston.
WV	37806	808,036	WLFB	BLUEFIELD	Bluefield-Beckley-Oak Hill.
WV	73189	1,021,171	WLPX–TV	CHARLESTON	Charleston-Huntington.
WV	66804	569,330	WOAY–TV	OAK HILL	Bluefield-Beckley-Oak Hill.
WV	23342	1,176,043	WOWK–TV	HUNTINGTON	Charleston-Huntington.
WV	36912	1,184,629	WSAZ–TV	HUNTINGTON	Charleston-Huntington.
WV	4685	472,761	WTAP–TV	PARKERSBURG	Parkersburg.
WV	6869	2,941,511	WTRF–TV	WHEELING	Wheeling-Steubenville.
WV	417	1,373,707	WVAH–TV	CHARLESTON	Charleston-Huntington.
WV	10976	731,193	WVFX	CLARKSBURG	Clarksburg-Weston.
WV	74169	911,630	WVNS–TV	LEWISBURG	Bluefield-Beckley-Oak Hill.
WV	74176	1,035,752	WVVA	BLUEFIELD	Bluefield-Beckley-Oak Hill.
WV	23264	3,892,904	WWPX–TV	MARTINSBURG	Washington, DC (Hagrstwn).
WY	68713	79,948	KCWY–DT	CASPER	Casper-Riverton.
WY	74256	80,382	KFNB	CASPER	Casper-Riverton.
WY	21613	54,988	KFNE	RIVERTON	Casper-Riverton.
WY	21612	10,988	KFNR	RAWLINS	Casper-Riverton.
WY	63177	80,475	KGWC–TV	CASPER	Casper-Riverton.
WY	63162	38,125	KGWL–TV	LANDER	Casper-Riverton.
WY	63166	469,467	KGWN–TV	CHEYENNE	Cheyenne-Scottsbluff.
WY	63170	51,315	KGWR–TV	ROCK SPRINGS	Casper-Riverton.
WY	40250	541,043	KLWY	CHEYENNE	Cheyenne-Scottsbluff.

TABLE 6—TELEVISION STATIONS WITH POPULATION DATA—Continued

State	Facility ID	Population	Call sign	Community of service	Nielsen DMA rank
WY	18287	3,220,160	KQCK	CHEYENNE	Cheyenne-Scottsbluff.
WY	17680	62,178	KSGW–TV	SHERIDAN	Rapid City.
WY	18286	80,426	KTWO–TV	CASPER	Casper-Riverton.

VII. Initial Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),[99] the Commission prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in the Notice of Proposed Rulemaking (*Notice*). Written comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadline for comments on this *Notice.* The Commission will send a copy of the *Notice,* including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).[100] In addition, the *Notice* and IRFA (or summaries thereof) will be published in the **Federal Register**.[101]

A. Need for, and Objectives of, the Notice

2. The *Notice* seeks comment regarding adopting proposed regulatory fees for Fiscal Year 2018. The proposed regulatory fees are attached to the *Notice* in Table 2. This regulatory fee *Notice* is needed each year because the Commission is required by Congress to adopt regulatory fees each year ''to recover the costs of . . . enforcement activities, policy and rulemaking activities, user information services, and international activities.'' [102] The objective of the *Notice* is to propose regulatory fees for fiscal year 2017 and adopt regulatory fee reform to improve the regulatory fee process. The Notice seeks comment on the Commission's proposed regulatory fees for fiscal year (FY) 2018. The *Notice* proposes to collect $322,035,000 in regulatory fees for FY 2018, as detailed in the proposed fee schedules in Table 2, including an increase in the DBS fee rate to 48 cents per subscriber so that the DBS fee would be approaching parity with the cable television/IPTV fee, based on the Media Bureau FTEs devoted to issues that include DBS; rates for international bearer circuits that include non-common carrier circuits; and rates in revised tiers for submarine cable systems. The *Notice* seeks comment on adopting rates for television broadcasters that are more closely tied to the population served in the broadcast area, for FY 2019 and seeks comment on whether, for FY 2019, the Commission should adopt a new regulatory fee category for small satellites.

B. Legal Basis

3. This action, including publication of proposed rules, is authorized under sections (4)(i) and (j), 9, and 303(r) of the Communications Act of 1934, as amended.[103]

C. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

4. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules and policies, if adopted.[104] The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' [105] In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act.[106] 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 SBA.[107]

5. Small Entities. Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe here, at the outset, three comprehensive small entity size standards that could be directly affected by the proposals under consideration.[108] As of 2009, small businesses represented 99.9 percent of the 27.5 million businesses in the United States, according to the SBA.[109] In addition, a ''small organization is generally any not-for-profit enterprise which is independently owned and operated and not dominant in its field.[110] In addition, the term ''small governmental jurisdiction'' is defined generally as ''governments of cities, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand.'' [111] U.S. Census Bureau data for 2011 indicate that there were 90,056 local governmental jurisdictions in the United States.[112] We estimate that, of this total, as many as 89,327 entities may qualify as ''small governmental jurisdictions.'' [113] Thus, we estimate that most local government jurisdictions are small.

6. Wired Telecommunications Carriers. The U.S. Census Bureau defines this industry as ''establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of

[99] 5 U.S.C. 603. The RFA, 5 U.S.C. 601–612 has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Public Law N 104–121, Title II, 110 Stat. 847 (1996).

[100] 5 U.S.C. 603(a).

[101] *Id.*

[102] 47 U.S.C. 159(a).

[103] 47 U.S.C. 154(i) and (j), 159, and 303(r).

[104] 5 U.S.C. 603(b)(3).

[105] 5 U.S.C. 601(6).

[106] 5 U.S.C. 601(3) (incorporating by reference the definition of ''small-business concern'' in the Small Business Act, 15 U.S.C. 632). Pursuant to 5 U.S.C. 01(3), the statutory definition of a small business applies ''unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the **Federal Register**.''

[107] 15 U.S.C. 632.

[108] *See* 5 U.S.C. 601(3)–(6).

[109] *See* SBA, Office of Advocacy, ''Frequently Asked Questions,'' available at *https://www.sba.gov/sites/default/files/advocacy/SB-FAQ-2016_WEB.pdf.*

[110] 5 U.S.C. 601(4).

[111] 5 U.S.C. 601(5).

[112] *See* SBA, Office of Advocacy, ''Frequently Asked Questions,'' available at *https://www.sba.gov/sites/default/files/advocacy/SB-FAQ-2016_WEB.pdf.*

[113] The 2011 U.S. Census Data for small governmental organizations are not presented based on the size of the population in each organization. As stated above, there were 90,056 local governmental organizations in 2011. As a basis for estimating how many of these 90,056 local governmental organizations were small, we note that there were a total of 729 cities and towns (incorporated places and civil divisions) with populations over 50,000. *See http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.* If we subtract the 729 cities and towns that exceed the 50,000 population threshold, we conclude that approximately 789,237 are small.

technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.'' [114] The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees.[115] Census data for 2012 shows that there were 3,117 firms that operated that year. Of this total, 3,083 operated with fewer than 1,000 employees.[116] Thus, under this size standard, the majority of firms in this industry can be considered small.

7. Local Exchange Carriers (LECs). Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. The closest applicable NAICS code category is for Wired Telecommunications Carriers. Under that size standard, such a business is small if it has 1,500 or fewer employees.[117] According to census data from 2012, there were 3,117 establishments that operated that year. Of this total, 3,083 operated with fewer than 1,000 employees.[118] The Commission estimates that most providers of local exchange service are small entities that may be affected by the rules proposed in the *Notice.*

8. Incumbent LECs. Neither the Commission nor the SBA has developed a small business size standard specifically for incumbent local exchange services. The closest applicable NAICS code category is Wired Telecommunications Carriers. Under that size standard, such a business is small if it has 1,500 or fewer employees.[119] According to census data from 2012, 3,117 firms operated in that year. Of this total, 3,083 operated with fewer than 1,000 employees.[120] According to Commission data, 1,307 carriers reported that they were incumbent local exchange service providers.[121] Of this total of 1,307 incumbent local exchange service providers, an estimated 1,006 operated with 1,500 or fewer employees.[122] Consequently, the Commission estimates that most providers of incumbent local exchange service are small businesses that may be affected by the rules proposed in this *Notice.*

9. Competitive Local Exchange Carriers (Competitive LECs), Competitive Access Providers (CAPs), Shared-Tenant Service Providers, and Other Local Service Providers. Neither the Commission nor the SBA has developed a small business size standard specifically for these service providers. The appropriate NAICS code category is Wired Telecommunications Carriers. Under that size standard, such a business is small if it has 1,500 or fewer employees.[123] U.S. Census data for 2012 indicate that 3,117 firms operated during that year. Of that number, 3,083 operated with fewer than 1,000 employees.[124] Based on this data, the Commission concludes that the majority of Competitive LECs, CAPs, Shared-Tenant Service Providers, and Other Local Service Providers are small entities. According to the Commission data, 1,442 carriers reported that they were engaged in the provision of either competitive local exchange services or competitive access provider services.[125] Of these 1,442 carriers, an estimated 1,256 have 1,500 or fewer employees. In addition, 17 carriers have reported that they are Shared-Tenant Service Providers, and all 17 are estimated to have 1,500 or fewer employees.[126] Also, 72 carriers have reported that they are Other Local Service Providers.[127] Of this total, 70 have 1,500 or fewer employees.[128] Consequently, the Commission estimates that most providers of competitive local exchange service, competitive access providers, Shared-Tenant Service Providers, and Other Local Service Providers are small entities that may be affected by rules proposed in this *Notice.*

10. Interexchange Carriers (IXCs). Neither the Commission nor the SBA has developed a definition for Interexchange Carriers. The closest NAICS code category is Wired Telecommunications Carriers as defined in paragraph 6 of this IRFA. The applicable size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.[129] U.S. Census data for 2012 indicate that 3,117 firms operated during that year. Of that number, 3,083 operated with fewer than 1,000 employees.[130] According to Commission data, 359 companies reported that their primary telecommunications service activity was the provision of interexchange services.[131] Of this total, an estimated 317 have 1,500 or fewer employees. Consequently, the Commission estimates that the majority of interexchange service providers are small entities that may be affected by rules proposed in this *Notice.*

11. Prepaid Calling Card Providers. Neither the Commission nor the SBA has developed a small business size standard specifically for prepaid calling card providers. The appropriate NAICS code category for prepaid calling card providers is Telecommunications Resellers. This industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure. Mobile virtual networks operators (MVNOs) are included in this industry.[132] Under the applicable SBA size standard, such a business is small if it has 1,500 or fewer employees.[133] U.S. Census data for 2012 show that 1,341 firms provided resale services during that year. Of that number, 1,341 operated with fewer than 1,000 employees.[134] Thus, under this category

[114] *See http://www.census.gov/cgi-bin/sssd/naics/naicsrch.*

[115] *See* 13 CFR 120.201, NAICS code 517110.

[116] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[117] 13 CFR 121.201, NAICS code 517110.

[118] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[119] 13 CFR 121.201, NAICS code 517110.

[120] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[121] *See Trends in Telephone Service,* Federal Communications Commission, Wireline Competition Bureau, Industry Analysis and Technology Division at Table 5.3 (September 2010) (*Trends in Telephone Service*).

[122] *See id.*

[123] 13 CFR 121.201, NAICS code 517110.

[124] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[125] *See Trends in Telephone Service,* at Table 5.3.

[126] *Id.*

[127] *Id.*

[128] *Id.*

[129] 13 CFR 121.201, NAICS code 517110.

[130] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[131] *See Trends in Telephone Service,* at Table 5.3.

[132] *http://www.census.gov/cgi-bin/ssd/naics/naicsrch.*

[133] 13 CFR 121.201, NAICS code 517911.

[134] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

and the associated small business size standard, the majority of these prepaid calling card providers can be considered small entities. According to Commission data, 193 carriers have reported that they are engaged in the provision of prepaid calling cards.[135] All 193 carriers have 1,500 or fewer employees.[136] Consequently, the Commission estimates that the majority of prepaid calling card providers are small entities that may be affected by rules proposed in this *Notice.*

12. Local Resellers. Neither the Commission nor the SBA has developed a small business size standard specifically for Local Resellers. The SBA has developed a small business size standard for the category of Telecommunications Resellers. Under that size standard, such a business is small if it has 1,500 or fewer employees.[137] Census data for 2012 show that 1,341 firms provided resale services during that year.[138] Of that number, 1,341 operated with fewer than 1,000 employees.[139] Under this category and the associated small business size standard, the majority of these local resellers can be considered small entities. According to Commission data, 213 carriers have reported that they are engaged in the provision of local resale services.[140] Of this total, an estimated 211 have 1,500 or fewer employees.[141] Consequently, the Commission estimates that the majority of local resellers are small entities that may be affected by rules proposed in this *Notice.*

13. Toll Resellers. The Commission has not developed a definition for Toll Resellers. The closest NAICS code Category is Telecommunications Resellers, and the SBA has developed a small business size standard for the category of Telecommunications Resellers.[142] Under that size standard, such a business is small if it has 1,500 or fewer employees.[143] Census data for 2012 show that 1,341 firms provided resale services during that year.[144] Of that number, 1,341 operated with fewer than 1,000 employees.[145] Thus, under this category and the associated small business size standard, the majority of these resellers can be considered small entities. According to Commission data, 881 carriers have reported that they are engaged in the provision of toll resale services.[146] Of this total, an estimated 857 have 1,500 or fewer employees.[147] Consequently, the Commission estimates that the majority of toll resellers are small entities that may be affected by the rules proposed in the *Notice.*

14. Other Toll Carriers. Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. The closest applicable NAICS code category is for Wired Telecommunications Carriers, as defined in paragraph 6 of this IRFA. Under that size standard, such a business is small if it has 1,500 or fewer employees.[148] Census data for 2012 shows that there were 3,117 firms that operated that year.[149] Of this total, 3,083 operated with fewer than 1,000 employees.[150] Thus, under this category and the associated small business size standard, the majority of Other Toll Carriers can be considered small. According to Commission data, 284 companies reported that their primary telecommunications service activity was the provision of other toll carriage.[151] Of these, an estimated 279 have 1,500 or fewer employees.[152] Consequently, the Commission estimates that most Other Toll Carriers are small entities that may be affected by the rules proposed in the *Notice.*

15. Wireless Telecommunications Carriers (except Satellite). This industry comprises establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves. Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular services, paging services, wireless internet access, and wireless video services.[153] The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees. For this industry, Census Data for 2012 show that there were 967 firms that operated for the entire year.[154] Of this total, 955 firms had fewer than 1,000 employees.[155] Thus under this category and the associated size standard, the Commission estimates that the majority of wireless telecommunications carriers (except satellite) are small entities. Similarly, according to Commission data, 413 carriers reported that they were engaged in the provision of wireless telephony, including cellular service, Personal Communications Service (PCS), and Specialized Mobile Radio (SMR) services.[156] Of this total, an estimated 261 have 1,500 or fewer employees.[157] Thus, using available data, we estimate that the majority of wireless firms can be considered small and may be affected by rules proposed in this *Notice.*

16. Television Broadcasting. This Economic Census category ''comprises establishments primarily engaged in broadcasting images together with sound. These establishments operate television broadcasting studios and facilities for the programming and transmission of programs to the public.'' [158] These establishments also produce or transmit visual programming to affiliated broadcast television stations, which in turn broadcast the programs to the public on a predetermined schedule. Programming may originate in their own studio, from an affiliated network, or from external sources. The SBA has created the following small business size standard for Television Broadcasting firms: Those having $38.5 million or less in annual receipts.[159] The 2012 Economic Census reports that 751 television broadcasting firms operated during that year. Of that number, 656 had annual receipts of less than $25 million per year. Based on that Census data we conclude that a majority of firms that operate television stations

[135] *See Trends in Telephone Service,* at Table 5.3.

[136] *Id.*

[137] 13 CFR 121.201, NAICS code 517911.

[138] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[139] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[140] *See Trends in Telephone Service,* at Table 5.3.

[141] *Id.*

[142] 13 CFR 121.201, NAICS code 517911.

[143] *Id.*

[144] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[145] *Id.*

[146] *Trends in Telephone Service,* at Table 5.3.

[147] *Id.*

[148] 13 CFR 121.201, NAICS code 517110.

[149] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[150] *Id.*

[151] *Trends in Telephone Service,* at Table 5.3.

[152] *Id.*

[153] NAICS code 517210. *See http://www.census.gov/cgi-bin/ssd/naics/naicsrch.*

[154] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[155] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[156] *Trends in Telephone Service,* at Table 5.3.

[157] *Id.*

[158] U.S. Census Bureau, 2012 NAICS code Economic Definitions, *http://www.census.gov.cgi-bin/sssd/naics/naicsrch.*

[159] 13 CFR 121.201, NAICS code 515120.

are small. The Commission has estimated the number of licensed commercial television stations to be 1,387.[160] In addition, according to Commission staff review of the BIA Advisory Services, LLC's *Media Access Pro Television Database* on March 28, 2012, about 950 of an estimated 1,300 commercial television stations (or approximately 73 percent) had revenues of $14 million or less.[161] We therefore estimate that the majority of commercial television broadcasters are small entities.

17. In assessing whether a business concern qualifies as small under the above definition, business (control) affiliations [162] must be included. Our estimate, therefore, likely overstates the number of small entities that might be affected by our action, because the revenue figure on which it is based does not include or aggregate revenues from affiliated companies. In addition, an element of the definition of ''small business'' is that the entity not be dominant in its field of operation. We are unable at this time to define or quantify the criteria that would establish whether a specific television station is dominant in its field of operation. Accordingly, the estimate of small businesses to which rules may apply does not exclude any television station from the definition of a small business on this basis and is therefore possibly over-inclusive to that extent.

18. In addition, the Commission has estimated the number of licensed noncommercial educational (NCE) television stations to be 396.[163] These stations are non-profit, and therefore considered to be small entities.[164] There are also 2,528 low power television stations, including Class A stations (LPTV).[165] Given the nature of these services, we will presume that all LPTV licensees qualify as small entities under the above SBA small business size standard.

19. Radio Broadcasting. This Economic Census category ''comprises establishments primarily engaged in broadcasting programs by radio to the public. Programming may originate in their own studio, from an affiliated network, or from external sources.'' [166] The SBA has established a small business size standard for this category, which is: Such firms having $38.5 million or less in annual receipts.[167] U.S. Census data for 2012 show that 2,849 radio station firms operated during that year.[168] Of that number, 2,806 operated with annual receipts of less than $25 million per year.[169] According to Commission staff review of BIA Advisory Services, LLC's *Media Access Pro Radio Database* on March 28, 2012, about 10,759 (97 percent) of 11,102 commercial radio stations had revenues of $38.5 million or less. Therefore, the majority of such entities are small entities.

20. In assessing whether a business concern qualifies as small under the above size standard, business affiliations must be included.[170] In addition, to be determined to be a ''small business,'' the entity may not be dominant in its field of operation.[171] It is difficult at times to assess these criteria in the context of media entities, and our estimate of small businesses may therefore be over-inclusive.

21. Cable Television and other Subscription Programming. This industry comprises establishments primarily engaged in operating studios and facilities for the broadcasting of programs on a subscription or fee basis. The broadcast programming is typically narrowcast in nature, *e.g.,* limited format, such as news, sports, education, or youth-oriented. These establishments produce programming in their own facilities or acquire programming from external sources. The programming material is usually delivered to a third party, such as cable systems or direct-to-home satellite systems, for transmission to viewers.[172] The SBA has established a size standard for this industry of $38.5 million or less. Census data for 2012 shows that there were 367 firms that operated that year.[173] Of this total, 319 operated with annual receipts of less than $25 million.[174] Thus under this size standard, the majority of firms offering cable and other program distribution services can be considered small and may be affected by rules proposed in this *Notice.*

22. Cable Companies and Systems. The Commission has developed its own small business size standards for the purpose of cable rate regulation. Under the Commission's rules, a ''small cable company'' is one serving 400,000 or fewer subscribers nationwide.[175] Industry data indicate that there are currently 4,600 active cable systems in the United States.[176] Of this total, all but ten cable operators nationwide are small under the 400,000-subscriber size standard.[177] In addition, under the Commission's rate regulation rules, a ''small system'' is a cable system serving 15,000 or fewer subscribers.[178] Current Commission records show 4,600 cable systems nationwide.[179] Of this total, 3,900 cable systems have less than 15,000 subscribers, and 700 systems have 15,000 or more subscribers, based on the same records.[180] Thus, under this standard as well, the Commission estimates that most cable systems are small entities.

23. Cable System Operators (Telecom Act Standard). The Communications Act also contains a size standard for small cable system operators, which is ''a cable operator that, directly or through an affiliate, serves in the aggregate fewer than 1 percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed $250,000,000.'' [181]

[160] *See FCC News Release,* ''Broadcast Station Totals as of December 31, 2011,'' dated January 6, 2012; *http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db0106/DOC-311837A1.pdf.*

[161] We recognize that BIA's estimate differs slightly from the FCC total given *supra.*

[162] ''[Business concerns] are affiliates of each other when one concern controls or has the power to control the other or a third party or parties controls or has to power to control both.'' 13 CFR 21.103(a)(1).

[163] *See FCC News Release,* ''Broadcast Station Totals as of December 31, 2011,'' dated January 6, 2012; *http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db0106/DOC-311837A1.pdf.*

[164] *See generally* 5 U.S.C. 601(4), (6).

[165] *See FCC News Release,* ''Broadcast Station Totals as of December 31, 2011,'' dated January 6, 2012; *http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db0106/DOC-311837A1.pdf.*

[166] *http://www.census.gov.cgi-bin/sssd/naics/naicsrch.*

[167] 13 CFR 121.201, NAICS code 515112.

[168] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[169] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[170] ''Concerns and entities are affiliates of each other when one controls or has the power to control the other, or a third party or parties controls or has the power to control both. It does not matter whether control is exercised, so long as the power to control exists.'' 13 CFR 121.103(a)(1).

[171] 13 CFR 121.102(b) (an SBA regulation).

[172] *https://www.census.gov.cgi-bin/sssd/naics/naicsrch.*

[173] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ5&prodType=table.*

[174] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US-51SSSZ5&prodType=Table.*

[175] 47 CFR 76.901(e).

[176] August 15, 2015 Report from the Media Bureau based on data contained in the Commission's Cable Operations and Licensing System (COALS). *See www/fcc.gov/coals.*

[177] *See* SNL KAGAN at *www.snl.com/interactiveX/top cableMSOs aspx?period2015Q1&sortcol=subscribersbasic&sortorder=desc.*

[178] 47 CFR 76.901(c).

[179] *See* footnote 2, *supra.*

[180] August 5, 2015 report from the Media Bureau based on its research in COALS. *See www.fcc.gov/coals.*

[181] 47 CFR 76.901 (f) and notes ff. 1, 2, and 3.

There are approximately 52,403,705 cable video subscribers in the United States today.[182] Accordingly, an operator serving fewer than 524,037 subscribers shall be deemed a small operator if its annual revenues, when combined with the total annual revenues of all its affiliates, do not exceed $250 million in the aggregate.[183] Based on available data, we find that all but nine incumbent cable operators are small entities under this size standard.[184] The Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed $250 million.[185] Although it seems certain that some of these cable system operators are affiliated with entities whose gross annual revenues exceed $250,000,000, we are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.

24. Direct Broadcast Satellite (DBS) Service. DBS Service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic dish antenna at the subscriber's location. DBS is now included in SBA's economic census category ''Wired Telecommunications Carriers.'' The Wired Telecommunications Carriers industry comprises establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks. Transmission facilities may be based on a single technology or combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VOIP services, wired (cable) audio and video programming distribution; and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.[186] The SBA determines that a wireline business is small if it has fewer than 1,500 employees.[187] Census data for 2012 indicate that 3,117 wireline companies were operational during that year. Of that number, 3,083 operated with fewer than 1,000 employees.[188] Based on that data, we conclude that the majority of wireline firms are small under the applicable standard. However, currently only two entities provide DBS service, which requires a great deal of capital for operation: AT&T and DISH Network.[189] AT&T and DISH Network each report annual revenues that are in excess of the threshold for a small business. Accordingly, we must conclude that DBS service is provided only by large firms.

25. All Other Telecommunications. ''All Other Telecommunications'' is defined as follows: This U.S. industry is comprised of establishments that are primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation. This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems. Establishments providing internet services or Voice over internet Protocol (VoIP) services via client-supplied telecommunications connections are also included in this industry.[190] The SBA has developed a small business size standard for ''All Other Telecommunications,'' which consists of all such firms with gross annual receipts of $32.5 million or less.[191] For this category, census data for 2012 show that there were 1,442 firms that operated for the entire year. Of these firms, a total of 1,400 had gross annual receipts of less than $25 million.[192] Thus, a majority of ''All Other Telecommunications'' firms potentially affected by the proposals in the *Notice* can be considered small.

26. RespOrgs. Responsible Organizations, or RespOrgs, are entities chosen by toll free subscribers to manage and administer the appropriate records in the toll free Service Management System for the toll free subscriber.[193] Although RespOrgs are often wireline carriers, they can also include non-carrier entities. Therefore, in the definition herein of RespOrgs, two categories are presented, *i.e.,* Carrier RespOrgs and Non-Carrier RespOrgs.

27. Carrier RespOrgs. Neither the Commission, the U.S. Census, nor the SBA have developed a definition for Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Carrier RespOrgs are Wired Telecommunications Carriers,[194] and Wireless Telecommunications Carriers (except satellite).[195]

28. The U.S. Census Bureau defines Wired Telecommunications Carriers as establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks. Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.[196] The SBA has developed a small business size standard for Wired Telecommunications Carriers, which consists of all such companies having 1,500 or fewer employees.[197] Census data for 2012 show that there were 3,117 Wired Telecommunications Carrier firms that operated for that entire year. Of that number, 3,083 operated with less than 1,000 employees.[198] Based on that data, we conclude that the majority

[182] *See* SNL KAGAN at *www.snl.com/interactivex/MultichannelIndustryBenchmarks.aspx.*

[183] 47 CFR 76.901(f) and notes ff. 1, 2, and 3.

[184] *See* SNL KAGAN at *www.snl.com/Interactivex/TopCable MSOs.aspx.*

[185] The Commission does receive such information on a case-by-case basis if a cable operator appeals a local franchise authority's finding that the operator does not qualify as a small cable operator pursuant to 47 CFR 76.901(f) of the Commission's rules. *See* 47 CFR 76.901(f).

[186] *http://www.census.gov/cgi-bin/sssd/naics/naicsrch.*

[187] NAICs code 517110; 13 CFR 121.201.

[188] *http://factfinder.census.gov/faces/tableservices.jasf/pages/productview.xhtml?pid+ECN_2012_US.51SSSZ4&prodType=table.*

[189] *See 15th Annual Video Competition Report,* 28 FCC Rcd at 1057, Section 27.

[190] *http://www.census.gov/cgi-bin/ssssd/naics/naicsrch.*

[191] 13 CFR 121.201; NAICs code 517919.

[192] *http://factfinder.census.gov/faces/tableservices.jasf/pages/productview.xhtml?pid+ECN_2012_US.51SSSZ4&prodType=table.*

[193] *See* 47 CFR 52.101(b).

[194] 13 CFR 121.201, NAICS code 517110.

[195] *Id.*

[196] *http://www.census.gov/cgi-bin/sssd/naics.naicsrch.*

[197] 13 CFR 120,201, NAICS code 517110.

[198] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ4&prodType=table.*

of Carrier RespOrgs that operated with wireline-based technology are small.

29. The U.S. Census Bureau defines Wireless Telecommunications Carriers (except satellite) as establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves, such as cellular services, paging services, wireless internet access, and wireless video services.[199] The appropriate size standard under SBA rules is that such a business is small if it has 1,500 or fewer employees.[200] Census data for 2012 show that 967 Wireless Telecommunications Carriers operated in that year. Of that number, 955 operated with less than 1,000 employees.[201] Based on that data, we conclude that the majority of Carrier RespOrgs that operated with wireless-based technology are small.

30. Non-Carrier RespOrgs. Neither the Commission, the U.S. Census, nor the SBA have developed a definition of Non-Carrier RespOrgs. Accordingly, the Commission believes that the closest NAICS code-based definitional categories for Non-Carrier RespOrgs are ''Other Services Related to Advertising'' [202] and ''Other Management Consulting Services.'' [203]

31. The U.S. Census defines Other Services Related to Advertising as comprising establishments primarily engaged in providing advertising services (except advertising agency services, public relations agency services, media buying agency services, media representative services, display advertising services, direct mail advertising services, advertising material distribution services, and marketing consulting services).[204] The SBA has established a size standard for this industry as annual receipts of $15 million dollars or less.[205] Census data for 2012 show that 5,804 firms operated in this industry for the entire year. Of that number, 5,249 operated with annual receipts of less than $10 million.[206] Based on that data we conclude that the majority of Non-Carrier RespOrgs who provide toll-free number (TFN)-related advertising services are small.

32. The U.S. Census defines Other Management Consulting Services as establishments primarily engaged in providing management consulting services (except administrative and general management consulting; human resources consulting; marketing consulting; or process, physical distribution, and logistics consulting). Establishments providing telecommunications or utilities management consulting services are included in this industry.[207] The SBA has established a size standard for this industry of $15 million dollars or less.[208] Census data for 2012 show that 3,683 firms operated in this industry for that entire year. Of that number, 3,632 operated with less than $10 million in annual receipts.[209] Based on this data, we conclude that a majority of non-carrier RespOrgs who provide TFN-related management consulting services are small.[210]

33. In addition to the data contained in the four (see above) U.S. Census NAICS code categories that provide definitions of what services and functions the Carrier and Non-Carrier RespOrgs provide, Somos, the trade association that monitors RespOrg activities, compiled data showing that as of July 1, 2016 there were 23 RespOrgs operational in Canada and 436 RespOrgs operational in the United States, for a total of 459 RespOrgs currently registered with Somos.

D. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements

34. This *NPRM* does not propose any changes to the Commission's current information collection, reporting, recordkeeping, or compliance requirements.

E. Steps Taken To Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

35. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its approach, which may include the following four alternatives, among others: (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.[211]

36. This *NPRM* seeks comment on the Commission's regulatory fee collection for Fiscal Year 2018, as required by Congress each year. Specifically, the Commission asks for comment each year in the Regulatory Flexibility Analysis on how to minimize adverse economic impact, imposed by our proposed rules, on small entities. The *NPRM* seeks comment on the Commission's proposed regulatory fees for fiscal year (FY) 2018. The *NPRM* proposes to collect $322,035,000 in regulatory fees for FY 2018,[212] as detailed in the proposed fee schedules in Table 2, including an increase in the DBS fee rate to 48 cents per subscriber so that the DBS fee would approach the cable television/IPTV fee, based on the Media Bureau FTEs devoted to issues that include DBS. DBS providers are not small entities. The *NPRM* also seeks comment on, for FY 2019, adopting rates for television broadcasters that are more closely tied to the population served in the broadcast area. To the extent such broadcasters may be small entities, the rates for smaller broadcast areas would be lower than the rates for larger areas, which may provide relief. In addition, the de minimis threshold of $1,000 would likely exempt smaller television broadcast entities from paying annual regulatory fees. The Commission also seeks comment on whether, for FY 2019, it should adopt a new regulatory fee category for small satellites. The proposed regulatory fee for small satellites would be significantly lower than the current regulatory fee applicable to NGSO systems. The regulatory fees proposed in this *NPRM* do not include any new fee categories, except for the addition of non-common carrier terrestrial international bearer circuits that previously did not pay regulatory fees, adopted last year. The *NPRM* seeks comment on rates for international bearer circuits that include non-common carrier circuits. To the extent such providers are small entities, the rates for smaller numbers of circuits would be lower than the rates for larger quantity of circuits and, in addition, the

[199] *http://www.census.gov/cgi-bin/sssd/naics.naicsrch.*

[200] 13 CFR 120.201, NAICS code 517120.

[201] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ4&prodType=table.*

[202] 13 CFR 120.201, NAICS code 541890.

[203] 13 CFR 120.201, NAICS code 541618.

[204] *http://www.census.gov/cgi-bin/sssd/naics.naicsrch.*

[205] 13 CFR 120.201, NAICS code 541890.

[206] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ4&prodType=table.*

[207] *http://www.census.gov/cgi-bin/sssd/naics.naicsrch.*

[208] 13 CFR 120.201, NAICS code 514618.

[209] *http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ECN_2012_US_51SSSZ4&prodType=table.*

[210] The four NAICS code-based categories selected above to provide definitions for Carrier and Non-Carrier RespOrgs were selected because as a group they refer generically and comprehensively to all RespOrgs.

[211] 5 U.S.C. 603(c)(1) through (c)(4).

[212] Congress has not appropriated funds for FY 2018, thus this number is subject to change.

de minimis of $1,000 would likely exempt the smaller entities from paying annual regulatory fees.

F. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

37. None.

VIII. Ordering Clause

38. Accordingly, *it is ordered* that, pursuant to Section 9(a), (b), (e), (f), and (g) of the Communications Act of 1934, as amended, 47 U.S.C. 159(a), (b), (e), (f), and (g), this *Report and Order* and Notice of Proposed Rulemaking *is hereby adopted.*

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2018–12748 Filed 6–13–18; 8:45 am]

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FEDERAL REGISTER

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Part IV

The President

Proclamation 9764—Flag Day and National Flag Week, 2018

Federal Register
Vol. 83, No. 115
Thursday, June 14, 2018

Presidential Documents

Title 3—

The President

Proclamation 9764 of June 8, 2018

Flag Day and National Flag Week, 2018

By the President of the United States of America

A Proclamation

More than two centuries ago, on June 14, 1777, the Second Continental Congress formally adopted the Stars and Stripes as the official flag of our new Republic. Through the many triumphs and trials of our Nation, our flag has reflected our heritage of liberty and embodied the American virtues of bravery, justice, and loyalty. Each year, we celebrate Flag Day and National Flag Week to honor our timeless national emblem.

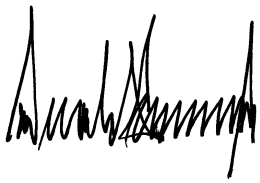
Our flag symbolizes our solemn pride and eternal gratitude to our service members, who willingly raise their hand in front of our Nation's colors and take an oath to support and defend the Constitution of the United States. Our flag also serves as a final acknowledgement of our country's gratitude to the families of those soldiers, sailors, airmen, marines, and coastguardsmen who have given their last full measure of devotion to our country. After the echo of the last rifle volley and the final notes of ''Taps'' fade away, the flag is carefully folded and presented to the grieving families of our fallen heroes to serve as a source of comfort and strength in times of immense sorrow.

Our majestic flag flies during our country's most memorable occasions. In the early morning of May 10 of this year, a large American flag undulated in the breeze over the homecoming of three Americans released from captivity in North Korea. It also presided during our astronauts' many missions exploring the moon's surface, the heroic triumph of the Marines at the battle of Iwo Jima, and the recovery operations at New York City's ground zero and the Pentagon immediately following the attacks of September 11, 2001. Our country's colors—bold and brilliant—symbolize to the world those values we hold sacred, freedom and liberty, and our hope for a better world.

Today, we celebrate the ideals of our country's founding, which are represented so proudly by the broad stripes and bright stars—that all men are created equal and endowed by their Creator with unalienable rights, including life, liberty, and the pursuit of happiness. May we never forget the tremendous sacrifices required to secure and maintain our freedom. Let us proudly stand and remember our founding principles and our country's ever continuing march to achieve a more perfect Union. As we raise our flag, let us resolve always to cherish it with reverence and eternal gratitude so that the red, white, and blue may forever wave from sea to shining sea.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, do hereby proclaim June 14, 2018, as Flag Day, and the week starting June 10, 2018, as National Flag Week. I direct the appropriate officials to display the flag on all Federal Government buildings during this week, and I urge all Americans to observe Flag Day and National Flag Week by displaying the flag. I also encourage the people of the United States to observe with pride and all due ceremony those days from Flag Day through Independence Day, set aside by the Congress (89 Stat. 211), as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of June, in the year of our Lord two thousand eighteen, and of the Independence of the United States of America the two hundred and forty-second.



[FR Doc. 2018–12963
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