

labor market area conditions, discounting temporary or seasonal factors.

### Eligible Labor Surplus Areas

A Labor Surplus Area (LSA) is a civil jurisdiction that has a civilian average annual unemployment rate during the previous two calendar years of 20 percent or more above the average annual civilian unemployment rate for all states during the same 24-month reference period. ETA uses only official unemployment estimates provided by the Bureau of Labor Statistics in making these classifications. The average unemployment rate for all states includes data for the Commonwealth of Puerto Rico. LSA classification criteria stipulate a civil jurisdiction must have a “floor unemployment rate” of 6.0 percent or higher to be classified an LSA. Any civil jurisdiction that has a “ceiling unemployment rate” of 10.0 percent or higher is classified an LSA.

Civil jurisdictions are defined as follows:

1. A city of at least 25,000 population on the basis of the most recently available estimates from the Bureau of the Census; or
2. A town or township in the States of Michigan, New Jersey, New York, or Pennsylvania of 25,000 or more population and which possess powers and functions similar to those of cities; or
3. All counties, except for those counties which contain any type of civil jurisdictions defined in “1” or “2” above; or
4. A “balance of county” consisting of a county less any component cities and townships identified in “1” or “2” above; or
5. A county equivalent, which is a town in the States of Connecticut, Massachusetts, and Rhode Island, or a municipio in the Commonwealth of Puerto Rico.

### Procedures for Classifying Labor Surplus Areas

The Department of Labor (DOL) issues the LSA list on a fiscal year basis. The list becomes effective each October 1 and remains in effect through the following September 30. The reference period used in preparing the current list is January 2016 through December 2017. The national average unemployment rate (including Puerto Rico) during this period is rounded to 4.66 percent. Twenty percent higher than the national unemployment rate during this period is rounded to 5.59 percent. Since 5.59 percent is below the “floor unemployment rate” of 6.0 percent, a civil jurisdiction must have a two-year

unemployment rate of 6.0 percent in order to be classified an LSA. Therefore, areas included on the FY 2019 LSA list had an unemployment rate for the reference period of 6.0 percent or higher. To ensure that all areas classified as labor surplus meet the requirements, when a city is part of a county and meets the unemployment qualifier as an LSA, that city is identified in the LSA list; the balance of county, not the entire county, will be identified as an LSA if the balance of county also meets the LSA unemployment criteria. The FY 2019 LSA list and statistical data on the current and prior year’s LSAs are available at ETA’s LSA website at <http://www.doleta.gov/programs/lisa.cfm>.

### Petition for Exceptional Circumstance Consideration

The classification procedures also provide criteria for the designation of LSAs under exceptional circumstances criteria. These procedures permit the regular classification criteria to be waived when an area experiences a significant increase in unemployment that is not temporary or seasonal and that was not reflected in the data for the two-year reference period. Under the program’s exceptional circumstance procedures, LSA classifications can be made for civil jurisdictions, Metropolitan Statistical Areas, or Combined Statistical Areas, as defined by the U.S. Office of Management and Budget. In order for an area to be classified as an LSA under the exceptional circumstance criteria, the state workforce agency must submit a petition requesting such classification to the Department of Labor’s ETA. The current criteria for an exceptional circumstance classification are:

- (1) An area’s unemployment rate is at least 6.0 percent for each of the three most recent months;
- (2) a projected unemployment rate of at least 6.0 percent for each of the next 12 months because of an event; and
- (3) documentation that the exceptional circumstance event has occurred. The state workforce agency may file petitions on behalf of civil jurisdictions, Metropolitan Statistical Areas, or Micropolitan Statistical Areas.

State Workforce Agencies may submit petitions in electronic format to [wright.samuel.e@dol.gov](mailto:wright.samuel.e@dol.gov), or in hard copy to the U.S. Department of Labor, Employment and Training Administration, Office of Workforce Investment, 200 Constitution Avenue NW, Room C-4514, Washington, DC 20210, Attention Samuel Wright. Data collection for the petition is approved

under OMB 1205–0207, expiration date July 31, 2020.

Signed at Washington, DC.

**Rosemary Lahasky,**

*Deputy Assistant Secretary for Employment and Training.*

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## OFFICE OF MANAGEMENT AND BUDGET

### Request of the U.S. Intellectual Property Enforcement Coordinator for Public Comments: Development of the Joint Strategic Plan on Intellectual Property Enforcement

**AGENCY:** Office of the U.S. Intellectual Property Enforcement Coordinator, Executive Office of the President, Office of Management and Budget.

**ACTION:** Request for written submissions from the public.

**SUMMARY:** The Federal Government is starting the process to develop a new 3-year Joint Strategic Plan on Intellectual Property Enforcement. By committing to common goals, the U.S. Government will more effectively and efficiently promote and protect our intellectual property. In this request for comments, the Executive Office of the President (“EOP”), Office of the U.S. Intellectual Property Enforcement Coordinator invites public input and participation in shaping the Administration’s intellectual property enforcement strategy.

The Office of the U.S. Intellectual Property Enforcement Coordinator (“IPEC”) is charged with developing, with certain Federal departments and agencies, the Administration’s Joint Strategic Plan on Intellectual Property Enforcement for submission to Congress every three years. The previous 3-year Joint Strategic Plans were issued in 2010, 2013, and 2016. To assist IPEC and Federal agencies in our preparation of the fourth 3-year plan, IPEC requests input and recommendations from the public for improving the U.S. Government’s intellectual property enforcement efforts, along the lines of this Administration’s four-part strategic approach, described in greater detail below.

**DATES:** Submissions must be received on or before November 13, 2018, at 5 p.m.

**ADDRESSES:** All submissions should be electronically submitted to <http://www.regulations.gov>. If you are unable to provide submissions to [regulations.gov](http://www.regulations.gov), you may contact the Office of the U.S. Intellectual Property

Enforcement Coordinator at [intellectualproperty@omb.eop.gov](mailto:intellectualproperty@omb.eop.gov) using the subject line "Development of the Joint Strategic Plan on Intellectual Property Enforcement" to arrange for an alternate method of transmission. The [regulations.gov](http://regulations.gov) website is a Federal E-Government website that allows the public to find, review and submit comments on documents that have published in the **Federal Register** and that are open for comment. Submissions filed via the [regulations.gov](http://regulations.gov) website will be available to the public for review and inspection. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary business information.

**FOR FURTHER INFORMATION CONTACT:** John Levock, 202–395–3826, Office of the U.S. Intellectual Property Enforcement Coordinator, at [intellectualproperty@omb.eop.gov](mailto:intellectualproperty@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** Since January 2017, President Trump and his Administration have worked to promote strong intellectual property rights protection and enforcement, both domestically and abroad. As part of an integrated approach, the Trump Administration views our intellectual property strategy, policy and enforcement efforts, together, as key to helping secure the future of our innovative economy and to maintaining our competitive advantage. As the Administration continues to build on past strategic efforts in all areas of intellectual property policy (including patents, copyrights, trademarks and trade secrets), both domestically and abroad, the Administration also recognizes that for the United States to maintain its future economic competitiveness, we need to think strategically and shift the paradigm to one where we not only place America First, but regard America's inventive and creative capacity as something that we must protect, promote and prioritize.

As explained in the Annual Intellectual Property Report to Congress ([https://www.whitehouse.gov/wp-content/uploads/2017/11/2018Annual\\_IPEC\\_Report\\_to\\_Congress.pdf](https://www.whitehouse.gov/wp-content/uploads/2017/11/2018Annual_IPEC_Report_to_Congress.pdf)), the Trump Administration has taken significant actions to promote and protect intellectual property. The Administration's four-part strategic approach includes engagement with our trading partners; effective use of all our legal authorities, including our trade tools; expanded law enforcement action and cooperation; and engagement and partnership with the private sector and other stakeholders. The goal is to ensure a level playing field for American

innovators and creators, where their innovations and creations are respected and protected, and for systems to be in place that allow American businesses to operate in a free, fair and open marketplace.

As the United States government works to advance American economic interests overseas, a significant component of our enforcement and protection efforts includes addressing trade enforcement, market access, competition, digital trade, cybersecurity, and rule of law concerns in the intellectual property space around the world. American innovators and creators must be able to operate in foreign markets that provide them with clear paths to secure and use their IP. Countries and foreign companies should not be allowed to profit from the theft or misappropriation of American intellectual property through actions including trade secret theft, IP infringement, piracy, forced technology transfers or localization requirements. Additionally, American brand holders must have full and fair opportunity to market and sell their products and use their properly registered trademarks across the globe, without undue restrictions.

To that end, and as set forth by the PRO IP Act (15 U.S.C. 8113), the objectives of the Joint Strategic Plan include:

- Reducing the supply of infringing goods, domestically and internationally;
- Identifying weaknesses, duplication of efforts, waste, and other unjustified impediments to effective enforcement actions;
- Promoting information sharing between participating agencies to the extent permissible by law;
- Disrupting and eliminating infringement networks in the U.S. and in other countries;
- Strengthening the capacity of other countries to protect and enforce intellectual property rights;
- Reducing the number of countries that fail to enforce intellectual property rights effectively;
- Assisting other countries to more effectively enforce intellectual property rights;
- Protecting intellectual property rights in other countries by:
  - Working with other countries to reduce intellectual property crimes in other countries;
  - Improving information sharing between U.S. and foreign law enforcement agencies; and
  - Establishing procedures for consulting with interested groups within other countries;

- Establishing effective and efficient training programs and other forms of technical assistance to enhance the enforcement efforts of foreign governments through:

- Minimizing the duplication of U.S. Government training and assistance efforts;
- Prioritizing deployment of U.S. Government resources to those countries where programs can be carried out most effectively with the greatest impact on reducing the number of infringing products imported into the United States, while also protecting the intellectual property rights of U.S. rights holders and the interests of U.S. persons otherwise harmed by infringements in other countries.

IPEC welcomes input and recommendations from the public for improving the U.S. Government's intellectual property enforcement efforts.

In submitting comments for the development of the fourth Joint Strategic Plan, comments should be organized along the lines of the Administration's four-part strategic approach to promote and protect intellectual property (as discussed above and in IPEC's Annual Intellectual Property Report to Congress):

- Engagement with our trading partners
- Effective use of all our legal authorities, including our trade tools
- Expanded law enforcement action and cooperation
- Engagement and partnership with the private sector and other stakeholders.

**Vishal J. Amin,**

*United States Intellectual Property Enforcement Coordinator, Executive Office of the President.*

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## NATIONAL SCIENCE FOUNDATION

### Proposal Review Panel for International Science and Engineering; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following meeting:

*Name and Committee Code:* Proposal Review Panel for Office of International Science and Engineering—PIRE: Crafting Optimal Learning in Science Environments—Reverse Site Visit (#10749).

*Date and Time:* October 12, 2018; 8:00 a.m.–5:30 p.m.