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FARM CREDIT ADMINISTRATION

12 CFR Parts 652

RIN 3052–AC86

Organization; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Farmer Mac Investment Eligibility

AGENCY: Farm Credit Administration.

ACTION: Final rule.

SUMMARY: The Farm Credit Administration (FCA, we, or our) finalizes amendments to our regulations governing the eligibility of non-program investments held by the Federal Agricultural Mortgage Corporation (Farmer Mac). We are revising these regulations in compliance with section 939A of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act or DFA) by removing references to, and requirements relating to, credit ratings.

DATES:

Effective Date: This regulation shall become effective no earlier than 30 days after publication in the **Federal Register** during which either or both Houses of Congress are in session. The FCA will publish a notice of the effective date in the **Federal Register**.

Compliance Date: All provisions of this regulation require compliance by January 1, 2019 or the effective date, whichever is later.

FOR FURTHER INFORMATION CONTACT: Joseph Connor, Associate Director for Policy and Analysis, Office of Secondary Market Oversight, (703) 883–4364, TTY (703) 883–4056, *connorj@fca.gov*; or Laura McFarland, Senior Counsel, Office of General Counsel, (703) 883–4020, TTY (703) 883–4056, *mcfarlandl@fca.gov.*

SUPPLEMENTARY INFORMATION:

I. Objective

The purpose of this final rule is to replace references to credit rating agencies with other appropriate standards used to determine the creditworthiness of investments and to revise obligor limits in our existing investment regulations applicable to Farmer Mac.

II. Background

Farmer Mac is a federally chartered instrumentality that is an institution of the Farm Credit System (System) and a Government-sponsored enterprise (GSE). Farmer Mac was established and chartered by Congress to create a secondary market for agricultural real estate mortgage loans, rural housing mortgage loans, rural utility cooperative loans, and the United States Department of Agriculture (USDA) guaranteed portions of farm and rural development loans. Title VIII of the Farm Credit Act of 1971, as amended, (Act) [1] governs Farmer Mac. Farmer Mac is regulated by FCA through its Office of Secondary Market Oversight (OSMO).

On July 21, 2010, the Dodd-Frank Act was enacted, and section 939A of the Dodd-Frank Act requires Federal agencies to review all regulatory references to nationally recognized statistical ratings organizations (NRSRO or credit rating agency) and replace those references with other appropriate standards for determining creditworthiness.[2] The Dodd-Frank Act further provides that, to the extent feasible, agencies should adopt a uniform standard of creditworthiness for use in regulations, taking into account the entities regulated and the purposes for which such regulated entities would rely on the creditworthiness standard.

The existing rules on non-program investments for Farmer Mac are contained in part 652, subpart A, and rely, in part, on NRSRO credit ratings to characterize relative credit quality of various instruments. On June 16, 2011, we issued an Advance Notice of Proposed Rulemaking (ANPRM) soliciting comments on suitable alternatives to NRSRO credit ratings.[3] On November 18, 2011, as part of another rulemaking, we again requested comment on potential sources of market-derived information that could be used to replace NRSRO credit ratings in part 652 of our rules.[4] In compliance with provisions in the Dodd-Frank Act directing agencies, to the extent feasible, to adopt a uniform standard of creditworthiness among regulated entities, we also considered the creditworthiness standards FCA proposed in a separate rulemaking for Farm Credit banks and associations.[5] Using perspective gained through these processes, on February 23, 2016, we issued a proposed rule, whose comment period ended April 25, 2016.[6] The only comments received were from the Farm Credit Council (Council) on behalf of its membership and Farmer Mac. Their comments are discussed herein at the relevant sections below.

III. Section-by-Section Discussion

The final rule revises portfolio diversification requirements and the credit quality standards for eligible non-program investments that Farmer Mac may hold by replacing the reliance on NRSRO credit ratings and clarifying terminology. All changes are finalized as proposed unless otherwise indicated.

A. Definitions [Existing § 652.5]

1. Removed Terms

In § 652.5, we finalize proposed removal of the following terms and their related definitions because they are either obsolete or do not require a separate definition:

- Contingency Funding Plan (CFP),
- Eurodollar time deposit,
- Final maturity,
- General obligations,
- Liability Maturity Management Plan (LMMP),
- Liquid investments,
- Liquidity reserve,
- Nationally Recognized Statistical Rating Organization (NRSRO),
- Revenue bond, and
- Weighted average life (WAL).

We also remove these terms from where they appear in § 652.20.

2. New and Changed Terms

We finalize proposed changes to three existing terms and their definitions. First, the term ''Government-sponsored

[1] Public Law 92–181, 85 Stat. 583, 12 U.S.C. 2001 *et seq.*

[2] Public Law 111–203, 124 Stat. 1376, (H.R. 4173), July 21, 2010.

[3] 76 FR 35138, June 16, 2011.

[4] *Refer to* Proposed rule, ''Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; Farmer Mac Investments and Liquidity Management'' (76 FR 71798, Nov. 18, 2011).

[5] 79 FR 43301, July 25, 2014.

[6] 81 FR 8860, Feb. 23, 2016.

agency'' is replaced with ''Government-sponsored enterprise (GSE)'', defining a GSE as an entity established or chartered by the U.S. Government to serve public purposes specified by the U.S. Congress but whose debt obligations are not explicitly guaranteed by the full faith and credit of the U.S. Government. Second, the term ''Government agency'' is replaced with ''U.S. Government agency,'' defined as an instrumentality of the United States Government whose obligations are fully guaranteed as to the timely payment of principal and interest by the full faith and credit of the U.S. Government. Finally, the term ''mortgage securities'' is replaced with ''mortgage-backed securities (MBS),'' but uses the existing definition for ''mortgage securities.'' We finalize a conforming change to the definition of ''asset-backed securities'' to substitute the term ''mortgage securities'' for ''mortgage-backed securities (MBS)'' within the definition of ''asset-backed securities''.

We finalize as proposed adding a new term to § 652.5: ''Diversified investment fund''. The final rule defines a ''diversified investment fund'' (DIF) as an investment company registered under section 8 of the Investment Company Act of 1940, 15 U.S.C. 80a–8. We had proposed, but are not finalizing, adding a definition for ''obligor'' and explain why in the following section.

3. Defining ''Obligor''

We proposed adding a new definition for ''obligor'', defining it as an issuer, guarantor, or other person or entity who has an obligation to pay a debt, including interest due, by a specified date or when payment is demanded. The existing regulation does not contain a definition for ''obligor'', although the term is used in part 652. We proposed a definition to remove any questions on the terminology, but upon further consideration have determined the proposed definition adds little value as it reflects the commonly understood meaning of ''obligor''. As such, we are not adding it to our rules.

B. Concentration Risk [New § 652.10(c)(5)]

We add a new paragraph (c)(5) to § 652.10, addressing diversification and investment concentration limits. As discussed below, we make changes to what was proposed when discussing obligor limits.

1. Concentration Limit [Existing § 652.20(d)(1); New § 652.10(c)(5)]

We finalize as proposed moving the investment concentration limit provisions from § 652.20(d)(1) to new § 652.10(c)(5).

a. Obligor Limit Level

We final as proposed reducing the obligor limit from 25 percent to 10 percent. We place a 10-percent regulatory capital limit on Farmer Mac's investment exposure to investments issued by any single entity, issuer, or obligor as we believe this limit enhances Farmer Mac's long-term safety and soundness by ensuring that if any single entity, issuer, or obligor were to default, only a modest portion of capital would be at risk.

The Council requested FCA consider lowering the proposed obligor limit to 5 percent. The Council commented that a 10-percent limit would be appropriate for well-capitalized financial institutions meeting Basel III capital requirements, but contends that Farmer Mac's capitalization is based on an internal economic capital model which the Council believes may not be consistent with Basel III requirements. Farmer Mac measures capital adequacy using an approach that is consistent with broadly accepted banking practices and standards. Further, OSMO conducts comprehensive oversight of all aspects of Farmer Mac's operations, including capital adequacy, utilizing detailed and robust information, a variety of metrics, and under stress testing. Therefore, we do not share the Council's views on Farmer Mac's capitalization, which views may be based on a more limited perspective.

Farmer Mac requested the obligor limit remain at 25 percent, remarking that the limit alone would not necessarily enhance Farmer Mac's long-term safety and soundness due to its internal risk management procedures and board-established guidelines. Farmer Mac contended that the limit could instead unintentionally impede management's ability to manage the portfolio under certain market conditions. We are finalizing a 10-percent single obligor limit as we believe the lower limit adds a level of safety against both credit loss as well as variation in liquidity specifically tied to a single issuer or obligor. In deciding where to set the investment concentration threshold, we considered, among other things, the historical relationship between Farmer Mac's capital surplus over the statutory minimum and the dollar amount that equates to 10 percent of regulatory capital.

b. Obligor Limit Applicability

Farmer Mac requested that inclusion of guarantors in the definition of ''obligor'' be made only to the extent that Farmer Mac's investment decision was based on the ability of the guarantor to fulfill its obligation under the guarantee. Farmer Mac offered as an example its purchases of municipal bonds where its analysis of credit quality might ignore a third-party guarantee in some cases. We understand that when making an investment decision, the weight given a guarantee backing the issuance will vary, but that does not alter the guarantor's financial obligations for the issuance and we believe all credit enhancement features of an investment should be considered.

The existing obligor limit explains that it applies to ''. . . eligible investments issued by any single entity, issuer, or obligor.'' We proposed clarifying this phrase by revising it to read ''. . . allowable investments in any one obligor . . .''. In offering this change, we did not intend to change the meaning of whom is covered by the obligor limit. After reviewing comments made, we believe the proposed language for new § 652.10(c)(5)(i), if finalized, may be misread as altering the applicability of the obligor limit. As such, we finalize the first sentence of new § 652.10(c)(5)(i) using existing rule text, so it reads ''You may not invest more than 10 percent of your Regulatory Capital in allowable investments issued by any single entity, issuer, or obligor.''

We remind Farmer Mac that existing § 652.10(b) requires its investment policies to address how Farmer Mac will manage the potential risk of one guarantor having financial commitments to several issuers. Concentration limits are directed at placing safeguards around the risk incurred from having too many investments tied to the same financial source, including situations where several issuers share the same guarantor. Under existing § 652.10(b), Farmer Mac is required to include limits on counterparty risks and risk diversification standards within its investment policies. As such, Farmer Mac's investment policies are expected to address the concentration risk that arises when a single guarantor is tied to too many issuers in whom Farmer Mac invests.

2. Asset Class Limits: GSE-Issued Mortgage-Backed Securities Limit [Existing § 652.20(a)(6); New § 652.10(c)(5)]

We proposed removing asset class limits for all but one of the existing nine named asset classes: The 50-percent exposure limit for GSE-issued investments. Farmer Mac asked us to eliminate all asset class limits, including the one for GSE securities.

Farmer Mac suggested we allow it to set all its own concentration limits for all asset classes. In response to this comment, we remove the 50-percent exposure limit provision for GSE-issued investments from new § 652.10(c)(5). As a result, the final rule removes all nine of the regulatory asset class limits currently in existing § 652.20(a)(1) through (a)(9), as well as removes the related investment table at existing § 652.20(a). We believe the combined effect of our regulations governing investment management (§ 652.10), liquidity (§ 652.40), and those governing the overall regulatory limit on non-program investments (§ 652.15) create a strong and appropriate regulatory structure that incentivizes Farmer Mac to create a well-diversified and liquid investment portfolio comprised primarily of investments in either Government-backed or, to a lesser extent, GSE debt instruments.

Section 652.10 governing investment management outlines the responsibilities of the Farmer Mac board of directors for establishing appropriate policies and internal controls to prevent loss, and establishes a substantial set of requirements to foster appropriate investment purchase analysis, risk diversification and investment management. Further, as one commenter pointed out, existing § 652.10(c)(1)(i) already requires Farmer Mac to establish within its investment policy concentration limits for ''asset classes or obligations with similar characteristics.'' This requirement includes concentrations in GSE-issued mortgage-backed securities. We expect Farmer Mac to at least annually review its investment strategy, objectives and policy limits, making adjustments based on market conditions and its current risk profile and risk-bearing capacity.

C. Non-Program Investments [Existing §§ 652.20 and 652.25; New § 652.23]

All proposed changes to §§ 652.20, 620.23, and 652.25 are finalized as proposed except one technical correction. In § 652.20(a)(7) we mistakenly included a cross-citation to § 652.20(b)(4), when paragraph (b) only has three paragraphs. We are correcting the cross citation to only reference paragraphs (b)(1), (b)(2), and (b)(3).

We discuss the comments received on eligible non-program investments here.

1. Criteria of Eligible Non-Program Investments [§ 652.20(a)]

We finalize replacing the ''non-program investment eligibility criteria table'' in § 652.20(a) with general categories of eligible non-program investments to eliminate references to NRSRO credit ratings within § 620.20.

The Council asked that the rule specifically exclude from § 652.20(a) those Farmer Mac program securities backed by USDA guarantees. The Council referenced paragraphs (a)(4) and (a)(5) on GSE-issued ABS and MBS, asking that Farmer Mac securities be excluded. This rule provision identifies GSE, ABS, and MBS securities as eligible non-program investments. Securitizing USDA-guaranteed loans is among Farmer Mac's statutory authorities and we believe the assets are generally of high-credit quality and marketable to a sufficient degree to justify their inclusion in Level 3. As such, we make no change as requested by the commenter, but will take this suggestion into consideration in future rulemakings.

Farmer Mac commented upon preamble discussion in the proposed rule regarding the liquid nature of private placements, explaining its belief that private placements offer similar liquidity as securities acquired in the public markets. Farmer Mac asked that we allow using privately placed securities for liquidity purposes. In Section III.1.a. of the preamble to the proposed rule discussing § 652.20(a), we explained that ''eligible non-program investments'' may include private placements and therefore those private placements could be used for liquidity and other purposes to the extent allowed in § 652.15.[7] In the preamble discussion of that section we noted that we did not consider private placements to be very liquid. Farmer Mac objected to this remark, considering it to be a prohibition against using any private placements for liquidity purposes. The rule does not prohibit the use of private placements for liquidity purposes, nor does it specifically authorize them for such. If a private placement satisfies all non-program eligibility requirements under § 652.20, then it may be used for liquidity to the same extent as other eligible non-program investments, once approved. This means when seeking FCA approval under new § 652.23 for ''other'' non-program investments, Farmer Mac will need to specify if it intends on using the private placement investment for liquidity reserve purposes. If so, the investment request should include documentation that Farmer Mac has conducted a due diligence review and concluded the security meets the standard for marketability found at § 652.40(b), including the requirement that it can be easily sold (or converted to cash through repurchase agreements) in active and sizable markets. Thereafter, new § 652.23(c) provides that approved ''other'' non-program investments are treated under subpart A of part 652 the same as eligible non-program investments, unless our conditions of approval state otherwise.

Farmer Mac also commented that any higher liquidity premium built in the yield of a privately placed security should offset its lower liquidity when traded. It is our view that a higher liquidity premium does not substantially increase the liquidity of an instrument, but rather serves to compensate the investor for accepting the instrument's lower level of liquidity. Thus, a higher liquidity premium alone would not be enough to satisfy requirements for using the investment to fund the liquidity reserve.

2. Quality of Eligible Non-Program Investments [§ 652.20(b)]

We proposed in § 652.20(b) a Farmer Mac investment standard where the investment obligors would have to have a ''strong capacity'' to meet financial commitments and the risk of default was ''very low.'' We are finalizing the rule to require that at least one obligor of an investment have ''very strong capacity'' to meet financial commitments, with a ''very low'' risk of default.

Both comments to our proposed rule effectively asked us to reassess whether the provision on the quality of eligible investments was similar in its expectations to that of other regulators. Farmer Mac commented that the creditworthiness standards in proposed § 652.20(b) appeared to be stricter than those implemented by the Office of the Comptroller of the Currency (OCC) and the Federal Deposit Insurance Corporation (FDIC). Farmer Mac explained that the OCC and the FDIC refer to the ''adequate capacity'' of the issuer to meet its financial commitments and ''low'' risk of default by the obligor. Farmer Mac requested that we reconsider using a ''strong capacity'' to meet financial commitments and replace it with ''adequate capacity''. The FCC made a general remark that our Farmer Mac investment regulations should be no less stringent than those imposed on Farm Credit banks and associations.

In both the proposed rule and this final rulemaking, we considered the approaches used by OCC, FDIC, Federal Housing Finance Agency (FHFA), Federal Reserve Board (FRB), and the National Credit Union Administration

[7] *See* 81 FR 8860, 8864 (Feb. 23, 2016).

(NCUA).[8] We gave particular attention to the OCC, FDIC and FRB joint agreement[9] revising the definition of ''investment grade.'' These regulators agreed to replace their use of NRSRO ratings with a standard that considers an issuer's creditworthiness and risk of default. This involved defining investment grade securities as follows:

> A security is investment grade if the issuer of the security has an adequate capacity to meet financial commitments for the life of the asset. An issuer has adequate capacity to meet its financial commitments if the risk of default is low, and the full and timely repayment of principal and interest is expected.

As a result, the definition of ''investment grade'' effectively sets an issuer's financial capacity (and risk of default) as the uniform replacement standard for NRSRO ratings at commercial banks.

Dodd-Frank instructed each financial regulatory agency to establish uniform standards of creditworthiness to the extent feasible and to consider both the regulated entities covered by the new standards and the purposes for which the creditworthiness standards will be used. In compliance with this requirement, FCA proposed adopting the standard used by other regulators (*i.e.,* an issuer's financial capacity and the risk of default), but adapted the financial capacity and default risk levels to reflect Farmer Mac's secondary market activities and its status as a GSE. As a GSE with a specific Congressional mandate, we believe Farmer Mac should maintain investments in its liquidity portfolio that are of a higher grade than required at commercial banks with the goal of mitigating default risks. Therefore, FCA declines to set the regulatory investment creditworthiness standard for Farmer Mac to an ''adequate'' level.

However, we recognize that FCA recently issued a final rule governing the investment activities of Farm Credit banks and associations[10] whereby, FCA determined eligible investments were those where at least one of the obligors has ''very strong capacity'' to meet financial commitments. Although the investment authority of Farm Credit banks differs from Farmer Mac's investment authority, both authorities are primarily used for liquidity. Further, we recognize the subjective challenges involved in differentiating on examination between an issuer with a ''strong'' or ''very strong'' capacity to meet financial commitments. To avoid confusion, as well as to recognize the shared primary liquidity purpose of investment authorities at both the Farm Credit banks and Farmer Mac, we have adapted the financial capacity level to reflect those used by Farm Credit banks. Thus, we finalize a requirement that at least one of the investment obligors possess a ''very strong capacity'' to meet financial commitments.

We note that this modification also agrees in part with Farmer Mac's request for closer alignment with the other FRBs standard (in that we are only requiring a ''very strong capacity'' of at least one of the investment obligors, whereas in the proposed rule we required all obligors to meet the ''strong capacity'' standard). Also, we emphasize this language is not intended to change the quality or range of investments Farmer Mac is currently authorized to purchase and hold. Our intent is only to remove references to NRSRO ratings and reduce potential over reliance on NRSRO ratings in assessing an investment's creditworthiness and suitability for inclusion in investment portfolio. Meaning, Farmer Mac will continue to perform due diligence on its investments, adapting those reviews to the new risk assessment and classification standards. As noted in the investment management section of this subpart, § 652.10, and its associated preamble explanation, the depth of due diligence should be a function of the security's credit quality, the complexity of the structure, and the size of the investment.[11] The evaluation of the structure's complexity should include the contraction risk associated with investments purchased at a premium to par. We expect Farmer Mac to perform credit reviews both pre- and post-purchase as appropriate for each investment. These reviews should monitor performance at the portfolio and sector level and be periodically updated. In addition, we expect Farmer Mac to evaluate the issuer's capacity to meet financial commitments for the projected life of the asset or exposure. In doing so, we expect Farmer Mac to understand each security's structure and how the security may perform under adverse economic conditions.

As a technical change, we finalize a correction to § 652.20(b), whereby proposed (b)(1) language was inadvertently repeated in proposed (b)(2). We consolidate the repetitive language into (b)(1), removing it from paragraph (b)(2). In making this clarification, we make no change in the meaning of § 652.20(b)(2).

3. Other Non-Program Investments [New § 652.23]

We finalize moving from § 652.20(e) to new § 652.23 the provisions on seeking FCA approval for those non-program investments not identified in the rule. We also finalize as proposed the amendments to this provision. We received no comments on these changes.

4. Ineligible Non-Program Investments [§ 652.25]

We finalize as proposed the amendments to § 652.25, which address ineligible investment activities. We received no comments on these changes. As part of the changes, we will no longer require the separate quarterly report on investments that lose their eligibility after purchase. We make this reporting change to alleviate redundancy as Farmer Mac already provides OSMO routine quarterly reports on the performance and risk on all of its liquidity investment portfolio, which we consider a sound practice. We believe the investment activity report covering all investment activities is the more valuable of the two reports for our oversight and should be continued.

D. Reservation of FCA Authority [New § 652.27]

We received no comments on the proposed new § 652.27. We finalize moving from § 652.25(d) to new § 652.27 provisions addressing FCA-required investment divestitures.

E. Liquidity Reserve Requirements [Table to § 652.40(c)]

We finalize the proposed changes to the Table at § 652.40(c), including incorporating new terminology and clarifying certain MBS requirements.

The Council asked us to explain why the Table at § 652.40(c) includes GSE-issued senior debt with maturities less than 60 days as a Level 1 asset and greater than 60 days as a Level 3 asset but specifically excludes the debt of System banks and associations. The Council commented that treating the debt of Farm Credit banks and associations differently from that of Farmer Mac has no stated policy basis and asked that all Farmer Mac program securities held on balance sheet be excluded from the Level 1 category. At a minimum, the Table at § 652.40(c) should be clear that Farmer Mac securities are separate from the debt of Farm Credit banks and associations.

Debt issued by Farmer Mac does not share liability with the debt of Farm

[8] *See, for example,* OCC final rulemaking at 77 FR 35253 (June 13, 2012) and NCUA final rulemaking at 77 FR 74103 (Dec. 13, 2012).

[9] ''Uniform Agreement on the Classification and appraisal of Securities held by Depository Institutions (Agreement)'', dated Oct. 29, 2013.

[10] 83 FR 27486, June 12, 2018.

[11] 77 FR 66375, Nov. 5, 2012.

Credit banks and associations.[12] Farmer Mac is organized as an investor-owned corporation, not a member-owned cooperative, and the Farm Credit System Insurance Corporation only insures the debt of Farm Credit banks. As to the Table at § 652.40(c), debt issued by Farm Credit banks is excluded because we believe it is likely to be highly correlated with Farmer Mac program securities. Meaning, adverse economic and financial conditions affecting Farm Credit banks and associations will likely affect Farmer Mac securities at the same time. Therefore, limiting Farmer Mac's ability to amplify agricultural banking risk through its liquidity portfolio is an appropriate safety and soundness measure.

The Council also commented that the rule permits Farmer Mac to count repurchase agreements backed by Level 1 assets of the liquidity reserve, stating it believes these items would be more appropriate at Level 3. The Council added that these items may not be as liquid as necessary for Level 1 since significant time is required to convert these assets. The Council added that, for consistency, if repurchase agreements are included as Level 1 assets for Farmer Mac, FCA should modify its regulations for the Farm Credit banks and associations to classify the assets at the same level as Farmer Mac.

We decline the requests of the Council. Repurchase agreements are justifiably classified as Level 1 liquidity instruments because their overnight maturity, combined with their Level 1 collateral, make the risk of loss exceedingly small under adverse market conditions. Moreover, FCA regulations for Farm Credit banks and associations currently include overnight repurchase agreements in the category of money market instruments.[13] Meaning, Farm Credit banks and associations have the same ability to include such investments in Level 1 under the existing regulations.

IV. Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), FCA hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities. Farmer Mac has assets and annual income in excess of the amounts that would qualify it as a small entity. Therefore, Farmer Mac is not a ''small entity'' as defined in the Regulatory Flexibility Act.

[12] Farm Credit banks have joint and several liability with each other, but not with Farmer Mac. 12 U.S.C. 2155.

[13] 12 CFR 615.5134(b).

List of Subjects in 12 CFR Part 652

Agriculture, Banks, banking, Capital, Investments, Rural areas.

For the reasons stated in the preamble, part 652 of chapter VI, title 12 of the Code of Federal Regulations is amended as follows:

PART 652—FEDERAL AGRICULTURAL MORTGAGE CORPORATION FUNDING AND FISCAL AFFAIRS

■ 1. The authority citation for part 652 is revised to read as follows:

Authority: Secs. 4.12, 5.9, 5.17, 8.11, 8.31, 8.32, 8.33, 8.34, 8.35, 8.36, 8.37, 8.41 of the Farm Credit Act (12 U.S.C. 2183, 2243, 2252, 2279aa–11, 2279bb, 2279bb–1, 2279bb–2, 2279bb–3, 2279bb–4, 2279bb–5, 2279bb–6, 2279cc); sec. 514 of Pub. L. 102–552, 106 Stat. 4102; sec. 118 of Pub. L. 104–105, 110 Stat. 168; sec. 939A of Pub. L. 111–203, 124 Stat. 1326, 1887 (15 U.S.C. 78o–7 note) (July 21, 2010).

■ 2. Amend § 652.5 by:

■ a. Removing the definitions for ''Contingency Funding Plan (CFP)'', ''Eurodollar time deposit'', ''Final maturity'', ''General obligations'', ''Government agency'', ''Government-sponsored agency'', ''Liability Maturity Management Plan (LMMP)'', ''Liquid investments'', ''Liquidity reserve'', ''Mortgage securities'', ''Nationally recognized statistical rating organization (NRSRO)'', ''Revenue bond'', and ''Weighted average life (WAL)'';

■ b. Revising the last sentence of the definition for ''Asset-backed securities (ABS)''; and

■ c. Adding alphabetically the definitions of Diversified investment fund, Government-sponsored enterprise, Mortgage-backed securities, and U.S. Government agency to read as follows:

§ 652.5 Definitions.

* * * * *

Asset-backed securities (ABS) * * * For the purpose of this subpart, ABS exclude mortgage-backed securities that are defined below.

* * * * *

Diversified investment fund (DIF) means an investment company registered under section 8 of the Investment Company Act of 1940.

* * * * *

Government-sponsored enterprise (GSE) means an entity established or chartered by the United States Government to serve public purposes specified by the United States Congress but whose debt obligations are not explicitly guaranteed by the full faith and credit of the United States Government.

* * * * *

Mortgage-backed securities (MBS) means securities that are either:

(1) Pass-through securities or participation certificates that represent ownership of a fractional undivided interest in a specified pool of residential (excluding home equity loans), multifamily or commercial mortgages, or

(2) A multiclass security (including collateralized mortgage obligations and real estate mortgage investment conduits) that is backed by a pool of residential, multifamily or commercial real estate mortgages, pass through MBS, or other multiclass MBS.

(3) This definition does not include agricultural mortgage-backed securities guaranteed by Farmer Mac itself.

* * * * *

U.S. Government agency means an instrumentality of the U.S. Government whose obligations are fully guaranteed as to the payment of principal and interest by the full faith and credit of the U.S. Government.

■ 3. Amend § 652.10 by:

■ a. Removing the word ''four'' in the last sentence of the paragraph (c) introductory text;

■ b. Removing the phrase ''geographical areas'' in paragraph (c)(1)(i); and

■ c. Adding paragraph (c)(5) to read as follows:

§ 652.10 Investment management.

* * * * *

(c) * * *

(5) *Concentration risk.* Your investment policies must set risk diversification standards. Diversification parameters must be based on the carrying value of investments. You may not invest more than 10 percent of your Regulatory Capital in allowable investments issued by any single entity, issuer, or obligor. Only investments in obligations backed by U.S. Government agencies or GSEs may exceed the 10-percent limit.

* * * * *

■ 4. Section 652.20 is revised to read as follows:

§ 652.20 Eligible non-program investments.

(a) Eligible investments consist of:

(1) A non-convertible senior debt security.

(2) A money market instrument with a maturity of 1 year or less.

(3) A portion of an ABS or MBS that is fully guaranteed by a U.S. Government agency.

(4) A portion of an ABS or MBS that is fully and explicitly guaranteed as to

the timely payment of principal and interest by a GSE.

(5) The senior-most position of an ABS or MBS that is not fully guaranteed by a U.S. Government agency or fully and explicitly guaranteed as to the timely payment of principal and interest by a GSE, provided that the MBS satisfies the definition of ''mortgage related security'' in 15 U.S.C. 78c(a)(41).

(6) An obligation of an international or multilateral development bank in which the U.S. is a voting member.

(7) Shares of a diversified investment fund, if its portfolio consists solely of securities that satisfy investments listed in paragraphs (b)(1) through (b)(3) of this section.

(b) Farmer Mac may only purchase those eligible investments satisfying all of the following:

(1) At a minimum, at least one obligor of the investment has a very strong capacity to meet financial commitments for the life of the investment, even under severely adverse or stressful conditions, and generally presents a very low risk of default. Investments whose obligors are located outside the U.S., and whose obligor capacity to meet financial commitments is being relied upon to satisfy this requirement, must also be fully guaranteed by a U.S. Government agency.

(2) The investment must exhibit low credit risk and other risk characteristics consistent with the purpose or purposes for which it is held.

(3) The investment must be denominated in U.S. dollars.

■ 5. Add § 652.23 to read as follows:

§ 652.23 Other non-program investments.

(a) Farmer Mac may make a written request for our approval to purchase and hold other non-program investments that do not satisfy the requirements of § 652.20. Your request for our approval to purchase and hold other non-program investments at a minimum must:

(1) Describe the investment structure;

(2) Explain the purpose and objectives for making the investment; and

(3) Discuss the risk characteristics of the investment, including an analysis of the investment's impact to capital.

(b) We may impose written conditions in conjunction with our approval of your request to invest in other non-program investments.

(c) For purposes of applying the provisions of this subpart, except § 652.20, investments approved under this section are treated the same as eligible non-program investments unless our conditions of approval state otherwise.

■ 6. Section 652.25 is revised to read as follows:

§ 652.25 Ineligible investments.

(a) *Investments ineligible when purchased.* Non-program investments that do not satisfy the eligibility criteria set forth in § 652.20(a) or have not been approved by the FCA pursuant to § 652.23 at the time of purchase are ineligible. You must not purchase ineligible investments. If you determine that you have purchased an ineligible investment, you must notify us within 15 calendar days after such determination. You must divest of the investment no later than 60 calendar days after you determine that the investment is ineligible unless we approve, in writing, a plan that authorizes you to divest the investment over a longer period of time. Until you divest of the investment, it may not be used to satisfy your liquidity requirement(s) under § 652.40, but must continue to be included in the § 652.15(b) investment portfolio limit calculation.

(b) *Investments that no longer satisfy eligibility criteria.* If you determine that a non-program investment no longer satisfies the criteria set forth in § 652.20 or no longer satisfies the conditions of approval issued under § 652.23, you must notify us within 15 calendar days after such determination. If approved by the FCA in writing, you may continue to hold the investment, subject to the following and any other conditions we impose:

(1) You may not use the investment to satisfy your § 652.40 liquidity requirement(s);

(2) The investment must continue to be included in your § 652.15 investment portfolio limit calculation; and

(3) You must develop a plan to reduce the investment's risk to you.

■ 7. Add § 652.27 to read as follows:

§ 652.27 Reservation of authority for investment activities.

FCA retains the authority to require you to divest of any investment at any time for failure to comply with applicable regulations, for safety and soundness reasons, or failure to comply with written conditions of approval. The timeframe set by FCA for such required divestiture will consider the expected loss on the transaction (or transactions) and the effect on your financial condition and performance. FCA may also, on a case-by-case basis, determine that a particular non-program investment poses inappropriate risk, notwithstanding that it satisfies investment eligibility criteria or received prior approval from us. If so, we will notify you as to the proper treatment of the investment.

■ 8. Amend § 652.40 by revising the table in paragraph (c) to read as follows:

§ 652.40 Liquidity reserve requirement and supplemental liquidity.

* * * * *

(c) * * *

TABLE TO § 652.40(C)

Liquidity level	Instruments	Discount (multiply market value by)
Level 1	Cash, including cash due from traded but not yet settled debt	100 percent.
	Overnight money market instruments, including repurchase agreements secured exclusively by Level 1 investments.	100 percent.
	Obligations of U.S. Government agencies with a final remaining maturity of 3 years or less.	97 percent.
	GSE senior debt securities that mature within 60 days, excluding securities issued by the Farm Credit System.	95 percent.
	Diversified investment funds comprised exclusively of Level 1 instruments	95 percent.
Level 2	Additional Level 1 investments	Discount for each Level 1 investment applies.
	Obligations of U.S. Government agencies with a final remaining maturity of more than 3 years.	97 percent.
	MBS that are fully guaranteed by a U.S. Government agency	95 percent.
	Diversified investment funds comprised exclusively of Level 1 and 2 instruments.	95 percent.

TABLE TO § 652.40(C)—Continued

Liquidity level	Instruments	Discount (multiply market value by)
Level 3	Additional Level 1 or Level 2 investments	Discount for each Level 1 or Level 2 investment applies.
	GSE senior debt securities with maturities exceeding 60 days, excluding senior debt securities of the Farm Credit System. MBS that are fully guaranteed by a GSE as to the timely repayment of principal and interest. Money market instruments maturing within 90 days. Diversified investment funds comprised exclusively of Levels 1, 2, and 3 instruments. Qualifying securities backed by Farmer Mac program assets (loans) guaranteed by the United States Department of Agriculture (excluding the portion that would be necessary to satisfy obligations to creditors and equity holders in Farmer Mac II LLC).	93 percent for all instruments in Level 3.
Supplemental Liquidity.	Eligible investments under § 652.20 and those approved under § 652.23	90 percent except discounts for Level 1, 2 or 3 investments apply to such investments held as supplemental liquidity.

Dated: October 30, 2018.

Dale Aultman,

Secretary, Farm Credit Administration Board.

[FR Doc. 2018–24045 Filed 11–1–18; 8:45 am]

BILLING CODE 6705–01–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 740, 742, 744, 772, and 774

[Docket No. 170831854–7854–01]

RIN 0694–AH44

Wassenaar Arrangement 2017 Plenary Agreements Implementation

Correction

In rule 2018–22163 beginning on page 53742 in the issue of Wednesday, October 24, 2018 make the following correction:

Supplement No. 1 to Part 774, Category 3 [Corrected]

■ On page 53761, in the second column, the ''CIV'' paragraph for entity 3A001 was inadvertently omitted. Under line twenty-six, it should read, ''*CIV:* Yes for 3A001.a.3, a.7, and a.11.''

[FR Doc. C1–2018–22163 Filed 11–1–18; 8:45 am]

BILLING CODE 1301–00–D

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–0407]

Drawbridge Operation Regulation; Schooner Bayou Canal, Little Prairie Ridge, LA

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 State Route 82 (Little Prairie) swing span bridge across Schooner Bayou Canal (Old Intracoastal Waterway), mile 4.0, in Little Prairie Ridge, LA. The deviation is necessary to replace hydraulic piping, which will increase the reliability of the bridge's operation. This deviation allows the bridge four approved daylight openings four hours apart and to remain in the closed-to-navigation position at night.

DATES: This deviation is effective from 6 a.m. on November 5, 2018, through 6 p.m. on November 17, 2018.

ADDRESSES: The docket for this deviation, USCG–2018–0407 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 Ms. Donna Gagliano, Bridge Branch Office, Eighth District, U.S. Coast Guard; telephone 504–671–2128, email *Donna.Gagliano@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Louisiana Department of Transportation and Development (LA–DOTD) has requested a temporary deviation from the operating schedule for the State Route 82 (Little Prairie) swing span bridge across Schooner Bayou Canal (Old Intracoastal Waterway), mile 4.0, at Little Prairie Ridge, LA to replace hydraulic piping that will improve the bridge's operation. The bridge has a vertical clearance in the closed position of 6 feet above mean high water and 9 feet above low water, at the pivot pier, and a foot higher at the rest pier. The current operating schedule is set out in 33 CFR 117.494. The bridge currently opens on signal for the passage of vessels, except that, from 10 p.m. to 6 a.m. it requires at least four hours' notice. For an emergency, the draw will open on less than four hours' notice, and it will open on signal should a temporary surge in waterway traffic occur.

This temporary deviation allows the bridge to open on signal at four approved daylight openings four hours apart, at 6 a.m., 10 a.m., 2 p.m., and 6 p.m., and to otherwise remain in the closed-to-navigation position at night from 6 p.m. through 6 a.m. for a 13 day period from 6 a.m. on Monday, November 5, 2018, through 6 p.m. on Saturday, November 17, 2018. Navigation on the waterway consists of tugs with tows, fishing vessels and recreational craft. The bridge will not be able to open for emergencies; however, an alternate route is available via the Gulf Intracoastal Waterway. The Coast Guard will also inform the waterway users of the changes in operating schedule for the bridge through our Local and Broadcast Notices to Mariners 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 time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 24, 2018.

Douglas A. Blakemore,

Bridge Administrator, U.S. Coast Guard Eighth District.

[FR Doc. 2018–24048 Filed 11–1–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–0995]

Drawbridge Operation Regulation; Upper Mississippi River, LaCrosse, WI

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 LaCrosse Railroad Drawbridge across the Upper Mississippi River, mile 699.8, at LaCrosse, Wisconsin. The deviation is necessary to facilitate repairs essential for the safe operation of the drawbridge. This deviation allows the bridge to remain in the closed-to-navigation position for approximately four (4) hours weekdays.

DATES: This deviation is effective from 5 a.m. November 5, 2018 through 9 a.m. December 14, 2018.

ADDRESSES: The docket for this deviation, USCG–2018–0995 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 Mr. Eric A. Washburn, Bridge Administrator, Western Rivers, Coast Guard; telephone 314–269–2378, email *Eric.Washburn@uscg.mil.*

SUPPLEMENTARY INFORMATION: Central Pacific Railway, the owner and operator of the LaCrosse Railroad Drawbridge, across the Upper Mississippi River, mile 699.8, at LaCrosse, Wisconsin, requested a temporary deviation from the current operating schedule to make repairs essential for the safe operation of the drawbridge. The bridge has a vertical clearance of 21.9 feet above normal pool in the closed-to-navigation position. This drawbridge currently operates under 33 CFR 117.5. This deviation allows the bridge to remain in the closed-to-navigation position weekdays from 5 a.m. to 9 a.m. commencing on November 5, 2018 through December 14, 2018. Navigation on the waterway consists primarily of commercial tows and recreational watercraft. This temporary deviation has been coordinated with waterway users. No objections were received. The Coast Guard has carefully considered the restrictions with waterway users in publishing 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 are no alternate routes for vessels transiting this section of the Upper Mississippi River. The Coast Guard will inform users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so the vessel operators can arrange their transits to minimize any impact caused by this 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: October 29, 2018.

Eric A. Washburn,

Bridge Administrator, Western Rivers.

[FR Doc. 2018–23937 Filed 11–1–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2018–0996]

Drawbridge Operation Regulation; St. Croix River, Stillwater, MN

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from drawbridge regulations.

SUMMARY: The Coast Guard has issued a deviation from the operating schedule that governs the Stillwater Highway Bridge across the St. Croix River, mile 23.4, at Stillwater, Minnesota to facilitate required repair work while minimizing potential navigation impacts. This deviation allows the bridge to remain in the closed-to-navigation position during the winter season.

DATES: This deviation is effective from 12:01 a.m. November 1, 2018, through 11:59 p.m. April 27, 2019.

ADDRESSES: The docket for this deviation, USCG–2018–0996, 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 Mr. Eric A. Washburn, Bridge Administrator, Western Rivers, Coast Guard; telephone 314–269–2378, email *Eric.Washburn@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Minnesota Department of Transportation requested a temporary deviation for the Stillwater Highway Drawbridge, across the St. Croix River, mile 23.4, at Stillwater, Minnesota to remain in the closed-to-navigation position during the winter season, starting 12:01 a.m. on November 1, 2018 and ending 11:59 p.m. on April 27, 2018 in order to complete needed repairs. The Stillwater Highway Bridge currently operates in accordance with 33 CFR 117.667(b). The Stillwater Highway Bridge provides a vertical clearance of 10.9 feet above normal pool in the closed-to-navigation position. Navigation on the waterway consists primarily of commercial sightseeing/dinner cruise boats and recreational watercraft. 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 also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in the 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: October 29, 2018.

Eric A. Washburn,

Bridge Administrator, Western Rivers.

[FR Doc. 2018–23940 Filed 11–1–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2018–0998]

RIN 1625–AA00

Safety Zone; Columbia River, Cascade Locks, OR

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters of the Columbia River between river mile 142 and 143 in vicinity of Cascade Locks, Oregon. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by salvage operations of the tug DIANE. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Columbia River.

DATES: This rule is effective without actual notice from November 2, 2018 through November 16, 2018. For the purposes of enforcement, actual notice will be used from October 27, 2018 through November 2, 2018.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* type USCG–2018–0998 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 LCDR Dixon Whitley, Waterways Management Division, Marine Safety Unit Portland, U.S. Coast Guard; telephone 503–240–9319, email *msupdxwwm@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.'' 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 to do so would be impracticable and delayed promulgation may result in injury or damage to the maritime public and/or the marine environment on the Columbia River due to the safety hazards associated with associated pile driving, cofferdam installation, diving, and vessel recovery operations.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to respond to the potential safety hazards associated with pile driving, cofferdam installation, diving, and vessel recovery operations.

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 Columbia River (COTP) has determined that potential hazards associated with pile driving, cofferdam installation, diving and vessel recovery operations will be a safety concern for anyone transiting between Columbia River Mile 142 and 143 in vicinity of Cascade Locks, Oregon. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone while salvage operations are occurring.

IV. Discussion of the Rule

This rule establishes a safety zone from 7 a.m. until 5 p.m. on October 27, 2018 through November 16, 2018. The safety zone will cover all navigable waters on the Columbia River between river mile 142 and 143. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while salvage operations are occurring. Due to the unpredictable and potentially dangerous nature of diving and vessel recovery operations it was determined that it is best to exclude vessel traffic around all vessels engaged in diving and vessel recovery operations. 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. The Coast Guard will issue Broadcast Notice to Mariners 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 less than 30 days that will prohibit vessel traffic to transit between Columbia River Mile 142 and 143 during diving and vessel recovery operations. 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.T13–0998 to read as follows:

§ 165.T13–0998 Safety Zone; Columbia River, Cascade Locks, OR.

(a) *Location.* The following area is designated safety zone: All navigable waters of the Columbia River, from surface to bottom, between river mile 142 and 143.

(b) *Regulations.* In accordance with the general regulations in 33 CFR part 165, subpart C, no person may enter or remain in the safety zone created in this section or bring, cause to be brought, or allow to remain in the safety zone created in this section any vehicle, vessel, or object unless authorized by the Captain of the Port or his designated representative.

(2) To seek permission to enter, contact Derrick Barge DB 125 or tug RUTH via VHF–FM marine channel 14. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(c) *Enforcement period.* This safety zone is in effect from 7 a.m. until 5 p.m. on October 27, 2018 through November 16, 2018. It will be subject to enforcement this entire period unless the Captain of the Port, Columbia River (COTP) determines it is no longer needed. The Coast Guard will inform mariners of any change to this period of enforcement via Broadcast Notice to Mariners.

Dated: October 26, 2018.

D.F. Berliner,

Captain, U.S. Coast Guard, Acting Captain of the Port Sector Columbia River.

[FR Doc. 2018–23955 Filed 11–1–18; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

[Docket No. PTO–P–2018–0030]

Interim Procedure for Requesting Recalculation of the Patent Term Adjustment With Respect to Information Disclosure Statements Accompanied by a Safe Harbor Statement

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notification of interim procedure.

SUMMARY: The patent laws provide for patent term adjustment in the event that the issuance of the patent is delayed due to certain enumerated administrative delays. The USPTO makes the patent term adjustment determination included on the patent by a computer program that uses the information recorded in the USPTO's Patent Application Locating and Monitoring (PALM) system. The USPTO will be modifying

its computer program that calculates patent term adjustment to recognize when an applicant files an information disclosure statement concurrently with a safe harbor statement. In order to assist both applicants and the USPTO, the USPTO is providing a new form for applicants to use when making a safe harbor statement. The USPTO is also establishing an interim procedure and providing a form for patentees to request a recalculation of their patent term adjustment determination for alleged errors due to the USPTO's failure to recognize that an information disclosure statement was accompanied by a safe harbor statement.

DATES: *Effective Date:* This procedure is effective November 2, 2018.

FOR FURTHER INFORMATION CONTACT: Kery A. Fries, Senior Legal Advisor, Office of Patent Legal Administration, Office of Deputy Commissioner for Patent Examination Policy, by telephone at (571) 272–7757, or by mail addressed to: Mail Stop Comments-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313–1450.

SUPPLEMENTARY INFORMATION: The American Inventors Protection Act of 1999 or AIPA (Pub. L. 106–113, 113 Stat. 1501, 1501A–552 through 1501A–591 (1999)) amended 35 U.S.C. 154(b) to provide for patent term adjustment in the event that the issuance of the patent is delayed due to one or more of the enumerated administrative delays listed in 35 U.S.C. 154(b)(1). Under the patent term adjustment provisions of the AIPA, a patentee generally is entitled to patent term adjustment for the following reasons: (1) If the USPTO fails to take certain actions during the examination and issue process within specified time frames (35 U.S.C. 154(b)(1)(A)); (2) if the USPTO fails to issue a patent within three years of the actual filing date of the application (35 U.S.C. 154(b)(1)(B)); and (3) for delays due to interference or derivation proceedings, secrecy orders, or successful appellate review (35 U.S.C. 154(b)(1)(C)). *See* 35 U.S.C. 154(b)(1). The AIPA, however, sets forth a number of conditions and limitations on any patent term adjustment accrued under 35 U.S.C. 154(b)(1). Specifically, 35 U.S.C. 154(b)(2)(C) provides, in part, that ''[t]he period of adjustment of the term of a patent under [35 U.S.C. 154(b)(1)] shall be reduced by a period equal to the period of time during which the applicant failed to engage in reasonable efforts to conclude prosecution of the application'' and that ''[t]he Director shall prescribe regulations establishing the circumstances that constitute a failure of an applicant to engage in reasonable efforts to conclude processing or examination of an application.'' 35 U.S.C. 154(b)(2)(C)(i) and (iii). The USPTO implemented the patent term adjustment provisions of the AIPA in a final rule published in September of 2000. *See Changes to Implement Patent Term Adjustment Under Twenty-Year Patent Term,* 65 FR 56365 (Sept. 18, 2000) (final rule).

The ''regulations establishing the circumstances that constitute a failure of an applicant to engage in reasonable efforts to conclude processing or examination of an application'' (35 U.S.C. 154(b)(2)(C)(iii)) are set forth in 37 CFR 1.704. 37 CFR 1.704 provides for a reduction of any patent term adjustment if an information disclosure statement (1) is filed after a notice of allowance or after an initial reply by the applicant; or (2) is filed as a preliminary paper or paper after a decision by the Board or Federal court that requires the USPTO to issue a supplemental Office action. *See* 37 CFR 1.704(c)(6), 1.704(c)(8), 1.704(c)(9), and 1.704(c)(10). 37 CFR 1.704 also provides for a reduction of any patent term adjustment if a request for continued examination is filed after the mailing of a notice of allowance. *See* 37 CFR 1.704(c)(12).

37 CFR 1.704(d), however, provides that a paper containing only an information disclosure statement in compliance with 37 CFR 1.97 and 1.98 will not be considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under 37 CFR 1.704(c)(6), (c)(8), (c)(9), or (c)(10) if the information disclosure statement is accompanied by one of the statements set forth in 37 CFR 1.704(d)(1)(i) or (d)(1)(ii) (a ''safe harbor statement''). Similarly, 37 CFR 1.704(d) also provides that a request for continued examination in compliance with 37 CFR 1.114 containing only an information disclosure statement in compliance with 37 CFR 1.97 and 1.98 will not be considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under 37 CFR 1.704(c)(12) if the information disclosure statement included in request for continued examination is accompanied by a safe harbor statement. Thus, unless the information disclosure statement is accompanied by a safe harbor statement in compliance with 37 CFR 1.704(d), 37 CFR 1.704 provides for a reduction of any patent term adjustment if an information disclosure statement (1) is filed after a notice of allowance or after an initial reply by the applicant; or (2) is filed as a preliminary paper or paper after a decision by the Board or Federal court that requires the USPTO to issue a supplemental Office action. *See* 37 CFR 1.704(c)(6), 1.704(c)(8), 1.704(c)(9), and (c)(10). Similarly, unless the submission for a request for continued examination after a notice of allowance has been mailed is solely an information disclosure statement and it is accompanied by a safe harbor statement in compliance with 37 CFR 1.704(d), 37 CFR 1.704 provides for a reduction of any patent term adjustment if a request for continued examination is filed after the mailing of a notice of allowance. *See* 37 CFR 1.704(c)(12).

A proper safe harbor statement under 37 CFR 1.704(d) must state that each item of information contained in the information disclosure statement: (1) Was first cited in any communication from a patent office in a counterpart foreign or international application or from the USPTO, and this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the information disclosure statement (37 CFR 1.704(d)(1)(i)); or (2) is a communication that was issued by a patent office in a counterpart foreign or international application or by the USPTO, and this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the information disclosure statement (37 CFR 1.704(d)(1)(ii)).

The USPTO performs an automated calculation of how much patent term adjustment, if any, is due to a patentee using the information recorded in the USPTO's PALM system, except when a patentee requests reconsideration pursuant to 37 CFR 1.705. See *Changes to Implement Patent Term Adjustment under Twenty-Year Patent Term,* 65 FR 56365, 56370, 56380–81 (Sept. 18, 2000) (final rule). Currently, the computer program used for this automated calculation cannot determine whether a compliant safe harbor statement under 37 CFR 1.704(d) accompanied an information disclosure statement. Thus, this computer program calculates the patent term adjustment total as if no compliant safe harbor statement under 37 CFR 1.704(d) was made. As the USPTO develops its next generation information technology (IT) systems that will address this problem, the USPTO is introducing an interim procedure for patentees to request a patent term adjustment recalculation when a safe harbor statement pursuant to 37 CFR 1.704(d) was filed, and a new form for applicants to use when making a safe harbor statement.

Interim Procedure for Requesting Recalculation: The USPTO has created the following interim procedure by which a patentee may request recalculation of patent term adjustment where the sole reason for contesting the patent term adjustment determination is the USPTO's failure to recognize a timely filed safe harbor statement accompanying an information disclosure statement. The USPTO's interim procedure waives the fee under 37 CFR 1.705(b)(1) as set forth in 37 CFR 1.18(e) to file the request for reconsideration. The interim procedure will remain in effect until the USPTO can update the patent term adjustment computer program and provide notice to the public that the computer program has been updated.

Under the interim procedure, recalculation of patent term adjustment is requested by submitting a form in lieu of the request and fee set forth in 37 CFR 1.705(b). This form, ''Request for Reconsideration of Patent Term Adjustment in View of Safe Harbor Statement Under 37 CFR 1.704(d)'' (PTO/SB/134) will be available on the USPTO website at *https://www.uspto.gov/patent/patents-forms.*

The Office of Management and Budget (OMB) has determined that, under 5 CFR 1320.3(h), Form PTO/SB/134 does not collect ''information'' within the meaning of the Paperwork Reduction Act of 1995. The form must be filed within the time period set forth in 37 CFR 1.705(b), and the USPTO will not grant any request for recalculation of the patent term adjustment that is not timely filed. The time period set forth set forth in 37 CFR 1.705(b) may be extended under the provisions of 37 CFR 1.136(a).

If the request for recalculation is not based solely on the USPTO's failure to recognize a timely filed, compliant safe harbor statement under 37 CFR 1.704(d), the patentee must file a request for reconsideration of the patent term adjustment indicated on the patent under 37 CFR 1.705(b) with the fee set forth in 37 CFR 1.18(e). If a patentee files both form PTO/SB/134 and a request under 37 CFR 1.705(b) prior to the USPTO's recalculation of patent term adjustment, the USPTO will treat the papers as a request for reconsideration of the patent term adjustment indicated on the patent under 37 CFR 1.705(b) and charge the fee set forth in 37 CFR 1.18(e).

While the USPTO's interim procedure waives the fee under 37 CFR 1.705(b)(1) as set forth in 37 CFR 1.18(e) to file the PTO/SB/134, it does not waive any extensions of time fees due under 37 CFR 1.705(b) and 1.136. In addition, it is noted that the fee specified in 37 CFR 1.18(e) is required for a request for reconsideration under 37 CFR 1.705, and the USPTO may only refund fees paid by mistake or in excess of that required (35 U.S.C. 42(d)). Thus, the interim procedure set forth in this document is not a basis for requesting a refund of the fee specified in 37 CFR 1.18(e) for any request for reconsideration under 37 CFR 1.705, including any previously filed request that was solely based on the USPTO's error in assessing a reduction to the amount of patent term adjustment under 37 CFR 1.704(c)(6), (c)(8), (c)(9), (c)(10), or (c)(12) for the submission of an information disclosure statement that was accompanied by the statement under 37 CFR 1.704(d).

The Office of Petitions will manually review the request for recalculation of patent term adjustment filed under the interim procedure. Specifically, the Office of Petitions will review the accuracy of the patent term adjustment calculation in view of regulations 37 CFR 1.702 through 1.704 as part of the recalculation. Upon review by the Office of Petitions, the patentee will be given one opportunity to respond to the recalculation. The response must be filed by patentee within two months of the mail date of the recalculation. No extensions of time will be granted. If patentee responds to the recalculation by requesting changes to the recalculation not related to the safe harbor statement, patentee must comply with the requirements of 37 CFR 1.705(b)(1) and (2).

If patentee fails to respond to the recalculation and the USPTO's determination of the amount of recalculated patent term adjustment is different from that printed on the front of the patent, the USPTO will *sua sponte* issue a certificate of correction that reflects the recalculated patent term adjustment. If patentee files a timely response after the USPTO's recalculation and the USPTO maintains its recalculation, the USPTO will issue its decision confirming its recalculation pursuant to 35 U.S.C. 154(b)(3)(B)(ii), and this decision is the Director's decision under 35 U.S.C. 154(b)(4). The USPTO's initial recalculation of patent term adjustment under the procedure outlined in this document is *not* the Director's decision under 35 U.S.C. 154(b)(4).

New Form for Applicants to Use when Making a Statement Pursuant to 37 CFR 1.704(d): In order to aid in recognizing when a compliant safe harbor statement under 37 CFR 1.704(d) has been filed with an information disclosure statement, the USPTO has created a form titled, ''Patent Term Adjustment Statement under 37 CFR 1.704(d)'' (PTO/SB/133) for applicant's use when submitting the information disclosure statement. The USPTO is planning to update the patent term adjustment computer program to recognize when form PTO/SB/133 has been filed. Once updated, the patent term adjustment computer program will perform the patent term calculation by taking into account that applicant filed a compliant safe harbor statement under 37 CFR 1.704(d) when it performs the patent term adjustment calculation. When applicant provides the safe harbor statement with the information disclosure statement, use of form PTO/SB/133 is not required, but it is very strongly recommended as the failure to use this form may result in the patent term adjustment calculation not taking into account that such a statement was filed. The form will be available on the USPTO's website at *https://www.uspto.gov/patent/patents-forms.* The Office of Management and Budget (OMB) has determined that, under 5 CFR 1320.3(h), form PTO/SB/133 does not collect ''information'' within the meaning of the Paperwork Reduction Act of 1995.

Applicants who submit form PTO/SB/133 with an information disclosure statement will be considered to be making a proper safe harbor statement, and the filing will be reflected in the file record. Applicants may not alter the pre-printed text of form PTO/SB/133. The presentation to the USPTO (whether by signing, filing, submitting, or later advocating) of any USPTO form with text identifying the form as a USPTO-generated form by a party, whether a practitioner or non-practitioner, constitutes a certification under 37 CFR 11.18(b) that the existing text and any certifications or statements on the form have not been altered other than permitted by EFS-Web customization. *See* 37 CFR 1.4(d)(3). As a result of using the form, the USPTO's computer program, once updated, will take the safe harbor statement into account when patent term adjustment is calculated, thereby eliminating the need to file a request for reconsideration of patent term adjustment under 37 CFR 1.705(b) for this matter.

Dated: October 30, 2018.

Andrei Iancu,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2018–24004 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Parts 482, 484, and 485

[CMS–3317–RCN]

RIN 0938–AS59

Medicare and Medicaid Programs; Revisions to Requirements for Discharge Planning for Hospitals, Critical Access Hospitals, and Home Health Agencies; Extension of Timeline for Publication of Final Rule

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Extension of timeline for publication of a final rule.

SUMMARY: This document announces the extension of the timeline for publication of the ''Medicare and Medicaid Program; Revisions to Requirements for Discharge Planning for Hospitals, Critical Access Hospitals, and Home Health Agencies'' final rule. We are issuing this document in accordance with section 1871(a)(3)(B) of the Social Security Act (the Act), which requires notice to be provided in the **Federal Register** if there are exceptional circumstances that cause us to publish a final rule more than 3 years after the publication date of the proposed rule. In this case, the complexity of the rule and scope of public comments warrants the extension of the timeline for publication.

DATES: This extension is effective on November 2, 2018.

FOR FURTHER INFORMATION CONTACT: Alpha-Banu Wilson, (410) 786–8687.

SUPPLEMENTARY INFORMATION:

I. Background

Section 1871(a)(3)(A) of the Social Security Act (the Act) requires the Secretary of the Department of Health and Human Services (the Secretary), in consultation with the Director of the Office of Management and Budget (OMB), to establish a regular timeline for the publication of a final rule based on the previous publication of a proposed rule or an interim final rule. Section 1871(a)(3)(B) of the Act allows the timeline for publishing Medicare final regulations to vary based on the complexity of the regulation, number and scope of comments received, and other related factors. The timeline for publishing the final regulation, however, cannot exceed 3 years from the date of publishing the proposed regulation unless there are exceptional circumstances. The Secretary may extend the initial targeted publication date of the final regulation, if the Secretary provides public notice including a brief explanation of the justification for the variation no later than the regulation's previously established proposed publication date.

After consultation with the Director of OMB, the Department, through the Centers for Medicare & Medicaid Services (CMS), published a notice in the **Federal Register** on December 30, 2004 (69 FR 78442) establishing a general 3-year timeline for publishing Medicare final rules after the publication of a proposed or interim final rule.

II. Notification of Continuation

Section 1861(e)(1) through (9), section 1861(m), section 1861(mm), section 1861(o), section 1891, and section 1820(e) of the Act list the requirements that hospitals, home health agencies (HHAs), and critical access hospitals (CAHs) must meet to be eligible for Medicare and Medicaid participation. The Medicare Conditions of Participation (CoPs) and Conditions for Coverage (CfCs) set forth the federal health and safety standards that providers and suppliers must meet to participate in the Medicare and Medicaid programs. The purposes of these conditions are to protect patient health and safety and to ensure that quality care is furnished to all patients in Medicare and Medicaid-participating facilities. The statute also specifies that the Secretary may establish other requirements as necessary in the interest of the health and safety of patients.

On November 3, 2015, we published a proposed rule in the **Federal Register** titled, ''Medicare and Medicaid Program; Revisions to Requirements for Discharge Planning for Hospitals, Critical Access Hospitals, and Home Health Agencies'' (80 FR 68126) that would update the discharge planning requirements for hospitals, CAHs, and HHAs. We also proposed to implement the discharge planning requirements of the Improving Medicare Post-Acute Care Transformation Act of 2014 (Pub. L. 113–185), that requires hospitals, including, but not limited to, short-term acute care hospitals, CAHs and certain post-acute care (PAC) providers, including long term care hospitals, inpatient rehabilitation facilities, HHAs, and skilled nursing facilities, to take into account quality measures and resource use measures to assist patients and their families during the discharge planning process in order to encourage patients and their families to become active participants in the planning of their transition to the PAC setting (or between PAC settings). In response to the proposed rule, we received 299 public comments. Commenters included individuals, health care professionals and corporations, national associations and coalitions, state health departments, patient advocacy organizations, and individual facilities that would be impacted by the rule. The commenters presented procedural and cost information related to their specific circumstances, and the information presented requires additional analysis.

This document announces an extension of the timeline for publication of the final rule based on the following exceptional circumstances, which we believe, justify such an extension. Based on both public comments received and stakeholder feedback, we have determined that there are significant policy issues that need to be resolved in order to address all of the issues raised by public comments to the proposed rule and to ensure appropriate coordination with other government agencies. Specifically, the development of the final rule requires collaboration with the Department of Health and Human Services' Office of the National Coordinator for Health Information Technology.

We, therefore, are not able to meet the 3-year timeline for publication of the final rule and are instead extending the timeline for publication of the final rule.

Our decision to extend the timeline for issuing a final rule that would update the CoPs should not be viewed as a diminution of the Department's commitment to timely and effective rulemaking in this area. We are committed to publishing a final rule that provides clear health and safety standards for hospitals, HHAs, and CAHs. At this time, we believe we can best achieve this balance by issuing this notification of continuation.

This document extends the timeline for publication of the final rule until November 3, 2019.

III. Collection of Information

This document does not impose information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Dated: October 24, 2018.

Ann C. Agnew,

Executive Secretary to the Department, Department of Health and Human Services.

[FR Doc. 2018–23922 Filed 10–30–18; 4:15 pm]

BILLING CODE 4120–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 20

[CC Docket No. 94–102; FCC 02–318]

Compatibility With Enhanced 911 Emergency Calling Systems; Petition of City of Richardson, Texas Order on Reconsideration II

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, on an emergency basis, a new information collection associated with Revision of Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems; Petition of City of Richardson, Texas Order on Reconsideration II. This document is consistent with the Order on Reconsideration, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of the rule.

DATES: The amendments to 47 CFR 20.18(j)(4) and (5), published at 68 FR 2914, January 22, 2003, and redesignated as 47 CFR 20.18(m)(4) and (5) at 80 FR 11805, March 4, 2015, are effective November 2, 2018.

FOR FURTHER INFORMATION CONTACT: Nellie Foosaner, Attorney-Advisor, Policy and Licensing Division, Public Safety and Homeland Security Bureau, at (202) 418–2925, or email: *nellie.foosaner@fcc.gov.* For additional information concerning the Paperwork Reduction Act information collection requirements contact Nicole Ongele at (202) 418–2991 or via email at *Nicole.Ongele@fcc.gov.*

SUPPLEMENTARY INFORMATION: A summary of the Order on Reconsideration (FCC 02–318) was published in the **Federal Register**, 68 FR 2914, on January 22, 2003. The Order on Reconsideration adopted rules designed to facilitate the rapid implementation of E911 by addressing what constitutes a valid Public Safety Answering Point (PSAP) request to trigger wireless carriers' obligations to provide E911 service to a PSAP. The Order on Reconsideration stated that with the exception of certain rules requiring OMB approval, the rules adopted in the Order on Reconsideration would become effective. With regard to rules requiring OMB approval, the Commission stated it will publish a document in the **Federal Register** announcing the effective date of these rules, 68 FR 2914. The information collection requirements in § 20.18(j)(4) and (j)(5) were approved by OMB on January 16, 2003, under OMB Control No. 3060–1031. Subsequent to OMB approval, the Commission redesignated § 20.18(j)(4) and (j)(5) as 20.18(m)(4) and (m)(5). 80 FR 11805, March 4, 2015. With publication of the instant document in the **Federal Register**, all rules adopted in the Order on Reconsideration are now effective. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1–A620, 445 12th Street SW, Washington, DC 20554. Please include the OMB Control Number, 3060–1031, in your correspondence. The Commission will also accept your comments via email at *PRA@fcc.gov.*

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on January 27, 2003, for the information collection requirements contained in the modifications to the Commission's rules in 47 CFR 20.18(m)(4) and (m)(5), formerly 47 CFR 20.18(j)(4) and (j)(5).

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1031.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Pub. L. 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–1031.

OMB Approval Date: January 16, 2003.

OMB Expiration Date: August 31, 2003.

Title: Revision of Commission's Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems; City of Richardson, Texas, Recon Order.

Form Number: N/A.

Respondents: Business or other for-profit.

Type of Review: New Information Collection.

Number of Respondents and Responses: 1,358 respondents; 1,358 responses.

Estimated Time per Response: 2–40 hours.

Frequency of Response: On occasion, third party disclosure requirement, and recordkeeping requirement.

Obligation to Respond: Mandatory. Statutory authority for this information collection is contained in 47 U.S.C. 154, 160, 201, 251–254, 303, and 332 of the Communications Act of 1934, as amended.

Total Annual Burden: 13,960 hours.

Total Annual Cost: No cost.

Nature and Extent of Confidentiality: Respondents are not required to submit proprietary trade secrets or other confidential information. However, carriers that believe the only way to satisfy the requirements for information is to submit what it considers to be proprietary trade secrets or other confidential information, carriers are free to request that materials or information submitted to the Commission be withheld from public inspection (see section 0.459 of the Commission's rules).

Privacy Act Impact Assessment: No impact(s).

Needs and Uses: The information collection requirements contained in this collection guarantee continued cooperation between wireless carriers and Public Safety Answering Points (PSAPs) in complying with the Commission's E911 requirements.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2018–24024 Filed 11–1–18; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 140722613–4908–02]

RIN 0648–XG588

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region; Commercial Closure for Spanish Mackerel

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS implements an accountability measure (AM) for commercial Spanish mackerel in the northern zone of the Atlantic exclusive economic zone (EEZ) through this temporary rule. NMFS has determined that the commercial quota for Spanish mackerel in the northern zone of the Atlantic EEZ will be reached by November 4, 2018. Therefore, NMFS closes the northern zone of the Atlantic EEZ to commercial harvest of Spanish mackerel on November 4, 2018. This closure is necessary to protect the Spanish mackerel resource in the Atlantic.

DATES: The closure is effective at 12:01 a.m., local time, on November 4, 2018, until 12:01 a.m., local time, on March 1, 2019.

FOR FURTHER INFORMATION CONTACT: Frank Helies, NMFS Southeast Regional Office, telephone: 727–824–5305, or email: *frank.helies@noaa.gov*.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish includes king mackerel, Spanish mackerel, and cobia, and is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils and is implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622. All weights described for Spanish mackerel in the Atlantic EEZ apply as either round or gutted weight.

On November 20, 2014, NMFS published a final rule in the **Federal Register** to implement Framework Amendment 1 to the FMP (79 FR 69058). That final rule implemented a commercial annual catch limit (equal to the commercial quota) of 3.33 million lb (1.51 million kg) for the Atlantic migratory group of Spanish mackerel (Atlantic Spanish mackerel). Atlantic Spanish mackerel are divided into northern and southern zones for management purposes. The northern zone commercial quota for Atlantic Spanish mackerel is 662,670 lb (300,582 kg) for the current fishing year, which is March 1, 2018, through February 28, 2019 (50 CFR 622.384(c)(2)(i)).

The northern zone for Atlantic Spanish mackerel extends in Federal waters off New York through North Carolina. The northern boundary of the northern zone extends from an intersection point off New York, Connecticut, and Rhode Island at 41°18′16.249″ N lat., 71°54′28.477″ W long. and proceeds southeast to 37°22′32.75″ N lat. and the intersection point with the outward boundary of the EEZ. The southern boundary of the northern zone extends from the North Carolina and South Carolina state border, along a line extending in a direction of 135°34′55″ from true north beginning at 33°51′07.9″ N lat., 78°32′32.6″ W long. to the intersection point with the outward boundary of the EEZ.

Regulations at 50 CFR 622.388(d)(1)(i) require NMFS to close the commercial sector for Atlantic Spanish mackerel in the northern zone when the commercial quota for that zone is reached, or is projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS has determined that the commercial quota of 662,670 lb (300,582 kg) for Atlantic Spanish mackerel in the northern zone will be reached by November 4, 2018. Accordingly, the commercial sector for Atlantic Spanish mackerel in the northern zone is closed effective at 12:01 a.m., local time, on November 4, 2018, through February 28, 2019, the end of the current fishing year.

During the commercial closure, a person on board a vessel that has been issued a valid Federal permit to harvest Atlantic Spanish mackerel may continue to retain this species in the northern zone under the recreational bag and possession limits specified in 50 CFR 622.382(a)(1)(iii) and (a)(2), as long as the recreational sector for Atlantic Spanish mackerel is open (50 CFR 622.384(e)(1)).

Also during the closure, Atlantic Spanish mackerel from the closed zone, including those harvested under the bag and possession limits, may not be purchased or sold. This prohibition does not apply to Atlantic Spanish mackerel from the closed zone that were harvested, landed ashore, and sold prior to the closure and were held in cold storage by a dealer or processor (50 CFR 622.384(e)(2)).

Classification

The RA for the NMFS Southeast Region has determined this temporary rule is necessary for the conservation and management of Atlantic Spanish mackerel and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.8(b), 622.384(e)(2), and 622.388(d)(1)(i) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act, because the temporary rule is issued without opportunity for prior notice and opportunity for comment.

This action responds to the best scientific information available. The Assistant Administrator for NOAA Fisheries (AA) finds good cause to waive the requirements to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such procedures are unnecessary and contrary to the public interest. Such procedures are unnecessary because the rule implementing the commercial quota and the associated AM has already been subject to notice and public comment, and all that remains is to notify the public of the closure. Additionally, allowing prior notice and opportunity for public comment is contrary to the public interest because of the need to immediately implement this action to protect the Atlantic Spanish mackerel stock, because the capacity of the fishing fleet allows for rapid harvest of the commercial quota. Prior notice and opportunity for public comment would require time and could potentially result in a harvest well in excess of the established commercial quota.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in effectiveness of this action under 5 U.S.C. 553(d)(3).

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

Dated: October 29, 2018.

Karen H. Abrams

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

[FR Doc. 2018–23950 Filed 10–30–18; 11:15 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 180117042–8884–02]

RIN 0648–XG599

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

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

ACTION: Temporary rule; General category October–November fishery for 2018; fishery reopening.

SUMMARY: NMFS has determined that a reopening of the Atlantic bluefin tuna (BFT) General category fishery is warranted. This action is intended to provide a reasonable opportunity to harvest the full annual U.S. BFT quota without exceeding it, while maintaining an equitable distribution of fishing opportunities across time periods; help achieve optimum yield in the BFT fishery; and optimize the ability of all permit categories to harvest their full BFT quota allocations. This action applies to Atlantic tunas General category (commercial) permitted vessels and Atlantic Highly Migratory Species (HMS) Charter/Headboat category permitted vessels with a commercial sale endorsement when fishing commercially for BFT.

DATES: Effective 12:30 a.m., local time, October 31, 2018, through 11:30 p.m., local time, November 2, 2018.

FOR FURTHER INFORMATION CONTACT: Uriah Forest-Bulley, 978–675–2154, or Sarah McLaughlin, 978–281–9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and as implemented by the United States among the various domestic fishing categories, per the allocations established in the 2006 Consolidated Highly Migratory Species Fishery Management Plan (2006 Consolidated HMS FMP) (71 FR 58058, October 2, 2006), as amended by Amendment 7 to the 2006 Consolidated HMS FMP (Amendment 7) (79 FR 71510, December 2, 2014). NMFS is required under ATCA and the Magnuson-Stevens Act to provide U.S. fishing vessels with a reasonable opportunity to harvest the ICCAT-recommended quota.

NMFS recently published a final rule (*i.e.,* the ''quota rule'' (83 FR 51391, October 11, 2018)) that increased the baseline U.S. BFT quota from 1,058.79 mt to 1,247.86 mt and accordingly increased the subquotas for 2018, including an increase in the General category October through November period subquota from 60.7 mt to 70.2 mt, consistent with the annual BFT quota calculation process. On October 4, 2018, NMFS transferred 55 mt to the General category and closed the General category fishery effective October 5, 2018, based on projections that landings would meet or exceed the adjusted October through November subquota of 127.2 mt by that date (83 FR 50857, October 10, 2018). After determining that 45.4 mt remained available, NMFS reopened the General category fishery for two days, October 15 and 16, 2018 (83 FR 52169, October 16, 2018).

General Category Reopening

As of October 26, 2018, reports show that the General category landed 101.6 mt before closing. This represents 80 percent of the adjusted October through November subquota of 127.2 mt. Based on early October landings rates, NMFS has determined that reopening the General category fishery for three days is appropriate given the amount of unused October through November subquota (*i.e.,* 25.6 mt).

Therefore, the General category fishery will reopen at 12:30 a.m., October 31, 2018, and close at 11:30 p.m., November 2, 2018. The General category daily retention limit during this reopening remains the same as prior to closing: One large medium or giant BFT per vessel per day/trip. This action applies to those vessels permitted in the General category, as well as to those HMS Charter/Headboat permitted vessels with a commercial sale endorsement when fishing commercially for BFT. Retaining, possessing, or landing large medium or giant BFT by persons aboard vessels permitted in the General and HMS Charter/Headboat categories must cease at 11:30 p.m. local time on November 2, 2018.

The General category will reopen automatically on December 1, 2018, for the December 2018 subquota period at the default one-fish level. In December 2017, NMFS adjusted the General category base subquota for the December 2018 period to 10 mt (82 FR 60680, December 22, 2017), although this amount increased to 14.6 mt with finalization of the quota rule. Based on quota availability in the Reserve, NMFS may consider transferring additional quota to the December subquota period, as appropriate.

Fishermen may catch and release (or tag and release) BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs at § 635.26. All BFT that are released must be handled in a manner that will maximize their survival, and without removing the fish from the water, consistent with requirements at § 635.21(a)(1). For additional information on safe handling, see the ''Careful Catch and Release'' brochure available at *www.nmfs.noaa.gov/sfa/hms/*.

Monitoring and Reporting

NMFS will continue to monitor the BFT fishery closely. Dealers are required to submit landing reports within 24 hours of a dealer receiving BFT. Late reporting by dealers compromises NMFS' ability to timely implement actions such as quota and retention limit adjustment, as well as closures, and may result in enforcement actions. Additionally, and separate from the dealer reporting requirement, General and HMS Charter/Headboat category vessel owners are required to report the catch of all BFT retained or discarded dead within 24 hours of the landing(s) or end of each trip, by accessing *hmspermits.noaa.gov,* using the HMS Catch Reporting app, or calling (888) 872–8862 (Monday through Friday from 8 a.m. until 4:30 p.m.).

Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that additional adjustments are necessary to ensure available subquotas are not exceeded or to enhance scientific data collection from, and fishing opportunities in, all geographic areas. If needed, subsequent adjustments will be published in the **Federal Register**. In addition, fishermen may call the Atlantic Tunas Information Line at (978) 281–9260, or access *hmspermits.noaa.gov,* for updates on quota monitoring and inseason adjustments.

Classification

The Assistant Administrator for NMFS (AA) finds that it is impracticable and contrary to the public interest to provide prior notice of, and an opportunity for public comment on, this action for the following reasons:

The regulations implementing the 2006 Consolidated HMS FMP and

amendments provide for inseason actions to respond to the unpredictable nature of BFT availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. Affording prior notice and opportunity for public comment to implement the fishery reopening is impracticable and contrary to the public interest. The General category recently closed, but based on available BFT quotas, recent fishery performance, and the availability of BFT on the fishing grounds, responsive reopening of the fishery is warranted to allow fishermen to take advantage of availability of fish and of quota. NMFS could not have proposed this action earlier, as it needed to consider and respond to updated data and information about fishery conditions and this year's landings. If NMFS was to offer a public comment period now, after having appropriately considered that data, it would preclude fishermen from harvesting BFT that are legally available. Therefore, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment. For all of the above reasons, there also is good cause under 5 U.S.C. 553(d) to waive the 30-day delay in effectiveness.

This action is being taken under § 635.27(a)(1), and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: October 30, 2018.

Karen H. Abrams

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

[FR Doc. 2018–24041 Filed 10–30–18; 4:15 pm]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 170817779–8161–02]

RIN 0648–XG572

Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; apportionment of reserves; request for comments.

SUMMARY: NMFS apportions amounts of the non-specified reserve to the initial total allowable catch (ITAC) and total allowable catch (TAC) of Aleutian Islands (AI) Greenland turbot, Bering Sea (BS) sablefish, Bering Sea and Aleutian Islands (BSAI) Alaska plaice, BSAI northern rockfish, BSAI ''other flatfish,'' BSAI shortraker rockfish, BSAI sculpins, BSAI skates, and Central and Western Aleutian Islands (CAI/WAI) blackspotted/rougheye rockfish in the BSAI management area. This action is necessary to allow the fisheries to continue operating. It is intended to promote the goals and objectives of the fishery management plan for the BSAI management area.

DATES: Effective November 1, 2018 through 2400 hrs, Alaska local time, December 31, 2018. Comments must be received at the following address no later than 4:30 p.m., Alaska local time, November 16, 2018.

ADDRESSES: Submit your comments, identified by NOAA–NMFS–2017–0108, by either of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to *https://www.regulations.gov/docket?D=NOAA-NMFS-2017-0108,* click the ''Comment Now!'' icon, complete the required fields, and enter or attach your comments.
- *Mail:* Submit written comments to Glenn Merrill, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region NMFS, Attn: Ellen Sebastian. Mail comments to P.O. Box 21668, Juneau, AK 99802–1668.

Instructions: 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. All comments received are a part of the public record and NMFS will post the comments for public viewing on *www.regulations.gov* without change. All personal identifying information (*e.g.,* name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender is publicly accessible. NMFS will accept anonymous comments (enter ''N/A'' in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Steve Whitney, 907–586–7228.

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

The 2018 ITAC of AI Greenland turbot was established as 144 metric tons (mt), the 2018 ITAC of BS sablefish was established as 1,208 mt, the 2018 TAC of BSAI Alaska plaice was established as 16,100 mt, the 2018 ITAC of BSAI northern rockfish was established as 5,185 mt, the 2018 ITAC of BSAI ''other flatfish'' was established as 3,400 mt, the 2018 TAC of BSAI shortraker rockfish was established as 150 mt, the 2018 ITAC of BSAI sculpins was established as 4,250 mt, the 2018 ITAC of BSAI skates was established as 22,950 mt, and the 2018 TAC of CAI/WAI blackspotted/rougheye rockfish was established as 150 mt by the final 2018 and 2019 harvest specifications for groundfish of the BSAI (83 FR 8365, February 27, 2018 and 83 FR 28169, June 18, 2018). In accordance with § 679.20(a)(3) the Regional Administrator, Alaska Region, NMFS, has reviewed the most current available data and finds that the ITACs for AI Greenland turbot, BS sablefish, BSAI Alaska plaice, BSAI northern rockfish, BSAI ''other flatfish,'' BSAI shortraker rockfish, BSAI sculpins, BSAI skates, and CAI/WAI blackspotted/rougheye rockfish need to be supplemented from the non-specified reserve to promote efficiency in the utilization of fishery resources in the BSAI and allow fishing operations to continue.

Therefore, in accordance with § 679.20(b)(3), NMFS apportions from the non-specified reserve of groundfish 25 mt to AI Greenland turbot, 55 mt to BS sablefish, 1,460 mt to BSAI Alaska plaice ITAC, 700 mt to BSAI northern rockfish ITAC, 700 mt to BSAI ''other flatfish'' ITAC, 100 mt to BSAI shortraker rockfish ITAC, 750 mt to BSAI sculpins ITAC, 6,130 mt to BSAI skates ITAC, and 28 mt to the CAI/WAI blackspotted/rougheye rockfish TAC in the BSAI management area. These apportionments are consistent with § 679.20(b)(1)(i) and do not result in overfishing of any target species because the revised ITACs and TACs are equal to or less than the specifications of the acceptable biological catch in the final 2018 and 2019 harvest specifications for groundfish in the BSAI (83 FR 8365, February 27, 2018).

The harvest specification for the 2018 ITACs and TACs included in the harvest specifications for groundfish in the BSAI are revised as follows: 169 mt for AI Greenland turbot, 1,263 mt for BS sablefish, 17,560 mt for BSAI Alaska plaice, 5,885 mt for BSAI northern rockfish, 4,100 mt for BSAI ''other

flatfish'', 250 mt for BSAI shortraker rockfish, 5,000 mt for BSAI sculpins, 29,080 mt for BSAI skates, and 178 mt for CAI/WAI blackspotted/rougheye rockfish.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA) finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) and § 679.20(b)(3)(iii)(A) as such a requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the apportionment of the non-specified reserves of groundfish to the AI Greenland turbot, BS sablefish, BSAI Alaska plaice, BSAI northern rockfish, BSAI ''other flatfish,'' BSAI shortraker rockfish, BSAI sculpins, BSAI skates, and CAI/WAI blackspotted/rougheye rockfish in the BSAI. Immediate notification is necessary to allow for the orderly conduct and efficient operation of this fishery, to allow the industry to plan for the fishing season, and to avoid potential disruption to the fishing fleet and processors. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of October 26, 2018.

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

Under § 679.20(b)(3)(iii), interested persons are invited to submit written comments on this action (see **ADDRESSES**) until November 16, 2018.

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

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

Dated: October 29, 2018.

Karen H. Abrams,

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

[FR Doc. 2018–23990 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
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Friday, November 2, 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 AGRICULTURE

Agricultural Marketing Service

7 CFR Part 987

[Doc. No. AMS–SC–18–0058; SC18–987–1 PR]

Domestic Dates Produced or Packed in Riverside County, California; Increased Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would implement a recommendation from the California Date Administrative Committee (Committee) to increase the assessment rate for the 2018–19 and subsequent crop years for California dates handled under Marketing Order 987. The assessment rate would remain in effect indefinitely unless modified, suspended, or terminated.

DATES: Comments must be received by December 3, 2018.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposed rule. Comments must be sent to the Docket Clerk, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250–0237; Fax: (202) 720–8938; or internet: *http://www.regulations.gov.* Comments should reference the document number and the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours, or can be viewed at: *http://www.regulations.gov.* All comments submitted in response to this rule will be included in the record and will be made available to the public. Please be advised that the identity of the individuals or entities submitting the comments will be made public on the internet at the address provided above.

FOR FURTHER INFORMATION CONTACT: Terry Vawter, Senior Marketing Specialist, California Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA; Telephone: (559) 487–5901, Fax: (559) 487–5906, or Email: *Terry.Vawter@ams.usda.gov.*

Small businesses may request information on complying with this regulation by contacting Richard Lower, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491, Fax: (202)720–8938, or Email: *Richard.Lower@ams.usda.gov.*

SUPPLEMENTARY INFORMATION: This action, pursuant to 5 U.S.C. 553, proposes an amendment to regulations issued to carry out a marketing order as defined in 7 CFR 900.2(j). This proposed rule is issued under Marketing Order No. 987, as amended (7 CFR part 987), regulating the handling of domestic dates produced or packed in Riverside County, California. Part 987, (referred to as the ''Order'') is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.'' The Committee locally administers the Order and is comprised of producers and producer-handlers operating within the area of production.

The Department of Agriculture (USDA) is issuing this proposed rule in conformance with Executive Orders 13563 and 13175. This proposed rule falls within a category of regulatory actions that the Office of Management and Budget (OMB) exempted from Executive Order 12866 review. Additionally, because this proposed 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).

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under the Order now in effect, California date handlers are subject to assessments. Funds to administer the Order are derived from such assessments. It is intended that the assessment rate would be applicable to all assessable dates for the 2018–19 crop year, and continue until amended, suspended, or terminated.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with USDA a petition 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. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

The Order provides authority for the Committee, with the approval of USDA, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members are familiar with the Committee's needs and with the costs of goods and services in their local area and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

This proposed rule would increase the assessment rate from $0.05 per hundredweight, the rate that was established for the 2016–17 and subsequent crop years, to $0.15 per hundredweight of dates handled for the 2018–19 and subsequent crop years. The proposed higher rate is necessary in order to provide sufficient funds to cover the 2018–19 anticipated expenses. As a result of three consecutive assessment decreases, a smaller crop, anticipated increases in the cost of the annual financial audit, and increased costs for dues and subscriptions, the Committee recommended an increased assessment rate. The 2018–19 crop is estimated to be approximately 29,000,000 pounds, down from 36,000,000 pounds for the 2017–18 crop year.

The Committee's operating reserve is low enough that an increase in the assessment rate is necessary to ensure that there are sufficient funds to pay for all the Committee's proposed expenses, while also ensuring that the Committee has an operating reserve to carry into the 2019–20 crop year.

The Committee met on June 28, 2018, and unanimously recommended increasing the assessment rate from the current $0.05 per hundredweight to $0.15 per hundredweight in order to maintain expenses at a level consistent with recent crop years' expenses, draw a portion of the expenses from the existing operating reserve, and provide a sufficient operating reserve to carry forward. The assessment rate increase, along with the funds from the reserve and other income, should provide sufficient funds to cover anticipated expenses.

The Committee estimates the 2018–19 domestic date crop to be 29,000,000 pounds (290,000 hundredweight), which, at the proposed $0.15 rate, should generate $43,500 in assessment income. Other income, which includes items such as interest income, is expected to be approximately $5,000. Combined with the anticipated $50,000 in beginning year operating reserve funds, the total funds available for the 2018–19 crop year are expected to be $98,500.

The Committee's expenses for the 2018–19 crop year are estimated at $83,740. The Committee's expenses are entirely operational, since it conducts its research and promotion programs through its sister organization, the California Date Commission, a California State marketing program. The major administrative expenses include $58,000 for salaries and $25,740 for office and Committee expenses such as rent, insurance, postage, website and email, utilities, meeting costs, and other miscellaneous administrative expenses.

The previous crop year's budget was $67,800, and budgeted expenses for salaries and for office and Committee expenses were $50,000 and $17,800, respectively. Increases in the cost of the annual audit, personnel, and in dues and subscriptions account for some of the increased expenses in the 2018–19 crop year.

The increased cost for the annual audit reflects the Committee's need to conduct a comprehensive, government-mandated ''single-audit (Yellow Book audit).'' Dues and subscriptions have increased due to the Committee's use of an import reporting subscription service, which provides detailed data on date imports.

The assessment rate recommended by the Committee was derived by considering anticipated expenses, expected volume of dates handled, and the amount of funds available in the operating reserve. Income derived from handler assessments of $43,500 (290,000 hundredweight assessed at the proposed rate of $0.15), along with other income and funds from the Committee's operating reserve, would be adequate to cover budgeted expenses of $83,790. Funds in the operating reserve (currently $50,000) would not exceed the average of the annual expenses of the preceding five years, as mandated by § 987.72(d).

The assessment rate proposed in this rule would continue in effect indefinitely unless modified, suspended, or terminated by USDA upon recommendation and information submitted by the Committee or other available information.

Although this assessment rate would be in effect for an indefinite period, the Committee would continue to meet prior to or during each crop year to recommend a budget of expenses and consider recommendations for modification of the assessment rate. The dates and times of Committee meetings are available from the Committee or USDA. Committee meetings are open to the public and interested persons may express their views at these meetings. USDA would evaluate Committee recommendations and other available information to determine whether modification of the assessment rate is needed. Further rulemaking would be undertaken as necessary. The Committee's budget for subsequent crop years would be reviewed and, as appropriate, approved by USDA.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), the Agricultural Marketing Service (AMS) has considered the economic impact of this proposed rule on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 70 date producers in the production area and 11 date handlers subject to regulation under the Order. The Small Business Administration defines small agricultural producers as those having annual receipts of less than $750,000, and small agricultural service firms as those whose annual receipts are less than $7,500,000. (13 CFR 121.201)

According to the National Agricultural Statistics Service (NASS), data for the most-recently completed crop year (2017) shows that about 3.23 tons, or 6,460 pounds, of dates were produced per acre. The 2017 producer price published by NASS was $2,840 per ton. Thus, the value of date production per acre averaged about $9,173 (3.23 tons times $2,840 per ton). At that average price, a producer would have to farm nearly 82 acres to receive an annual income from dates of $750,000 ($750,000 divided by $9,173 per acre equals 81.76 acres). According to Committee staff, the majority of California date producers farm less than 81 acres during the 2017–18 crop year. Thus, it can be concluded that the majority of date producers could be considered small entities. Furthermore, based on a reported average price of $1.25 per pound for packaged dates handled, a handler would have to handle at least 6,000,000 pounds to have $7,500,000 in annual receipts (6,000,000 multiplied by $1.25 per pound). According to information from the Committee on handler utilization of dates, only three of the regulated handlers handled less than 6,000,000 pounds during the 2017–18 crop year. Thus, most of the handlers could be considered large entities.

This proposed rule would increase the assessment rate collected from handlers for the 2018–19 and subsequent crop years from $0.05 to $0.15 per hundredweight of dates handled. The Committee unanimously recommended 2018–19 expenditures of $83,790 and an assessment rate of $0.15 per hundredweight of dates, which is $0.10 higher than the 2016–17 rate currently in effect. The quantity of assessable dates for the 2018–19 crop year is estimated at 29,000,000 pounds (290,000 hundredweight). Thus, the proposed $0.15 rate should provide $43,500 in assessment income. Income derived from handler's assessments, funds from the Committee's authorized reserve, and other income should be adequate to cover expenses for the 2018–19 crop year.

The total expenditure recommended by the Committee for the 2018–19 crop year is $83,790, compared to $67,800 for the 2017–18 crop year. The Committee recommended a higher assessment rate because its operating reserve would otherwise be too small to fund program

operations when combined with other income. In addition, the crop estimate for the 2018–19 crop year is expected to be 29,000,000 pounds, compared to 36,000,000 pounds for the 2017–18 crop year.

The income generated from the proposed higher assessment rate applied to the estimated crop, combined with carry-in funds from the 2017–18 crop year and income from other sources, should be sufficient to cover anticipated 2018–19 expenses and to maintain a financial reserve within the limit specified by the Order.

Section 987.72(d) states that the Committee may maintain an operating monetary reserve not to exceed the average of one year's expenses incurred during the most recent five preceding crop years, except that an established reserve need not be reduced to conform to any recomputed average. The Committee estimated a $50,000 reserve carry-in for the 2018–19 crop year. It expects to utilize $35,290 of the reserve during the year, leaving a reserve of approximately $14,710 at the end of the 2018–19 crop year, which is within the limit specified in the Order.

The Committee reviewed and unanimously recommended 2018–19 crop year expenditures of $83,790. Prior to arriving at this budget, the Committee considered information from its Budget Subcommittee (Subcommittee), which met on June 7, 2018. The Subcommittee discussed alternative expenditure levels and assessment rates, including not changing the assessment rate or adjusting expenses. Ultimately, the Subcommittee and the Committee recommended an assessment rate of $0.15 per hundredweight of dates handled after considering several factors including the anticipated 2018–19 crop, the Committee's estimated 2018–19 reserve carry-in and other income, and its anticipated expenses.

A review of historical and preliminary information pertaining to the upcoming crop year indicates that the producer price for the 2017–18 crop year was approximately $142.00 per hundredweight of dates. Utilizing that price, the estimated crop size, and the proposed assessment rate of $0.15 per hundredweight, the estimated assessment revenue for the 2018–19 crop year as a percentage of total producer revenue will be approximately 0.1 percent ($0.15 per hundredweight divided by $142 per hundredweight).

This proposed action would increase the assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform on all handlers. Some of the additional costs may be passed on to producers. However, these costs would be offset by the benefits derived by the operation of the Order. In addition, the Committee's and the Subcommittee's meetings were widely publicized throughout the California date industry. All interested persons were invited to attend the meetings and encouraged to participate in Committee deliberations on all issues. Like all Committee meetings, the June 28, 2018, meeting was a public meeting, and all entities, both large and small, were able to express views on this issue. Interested persons are invited to submit comments on this proposed rule, including the regulatory and information collection impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Order's information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581–0178 Vegetable and Specialty Crops. No changes in those requirements would be necessary as a result of this action. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed rule would not impose any additional reporting or recordkeeping requirements on either small or large California date handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

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.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: *http://www.ams.usda.gov/rules-regulations/moa/small-businesses.* Any questions about the compliance guide should be sent to Richard Lower at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

List of Subjects in 7 CFR Part 987

Dates, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 987 is proposed to be amended as follows:

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN RIVERSIDE, CALIFORNIA

■ 1. The authority citation for part 987 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 987.339 is revised to read as follows:

§ 987.339 Assessment rate.

On and after October 1, 2018, an assessment rate of $0.15 per hundredweight is established for dates produced or packed in Riverside County, California.

Dated: October 29, 2018.

Bruce Summers,

Administrator, Agricultural Marketing Service.

[FR Doc. 2018–23917 Filed 11–1–18; 8:45 am]

BILLING CODE 3410–02–P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 170 and 171

[Docket No. PRM–170–7; NRC–2018–0172]

Categorization of the Licensee Fee Category for Full-Cost Recovery

AGENCY: Nuclear Regulatory Commission.

ACTION: Petition for rulemaking; notice of docketing.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has received a petition for rulemaking (PRM) from Mr. Christopher S. Pugsley, Esq. (the petitioner), on behalf of Water Remediation Technology (WRT), LLC, dated July 3, 2018, requesting that the NRC amend its regulations regarding full-cost recovery of licensee fees. The petition was docketed by the NRC on August 2, 2018, and has been assigned Docket No. PRM–170–7. The NRC is examining the issues raised in PRM–170–7 to determine whether they should be considered in rulemaking. The NRC is not instituting a public comment period for this PRM as the staff anticipates considering the issues raised in the petition in the upcoming fiscal year 2019 proposed fee rule, and the public will have an opportunity to comment at that time.

DATES: The PRM is available on November 2, 2018.

ADDRESSES: Please refer to Docket ID NRC–2018–0172 when contacting the NRC about the availability of information for this petition. You may obtain publicly-available information

related to this petition by any of the following methods:

• *Federal Rulemaking Website:* Go to *http://www.regulations.gov* and search for Docket ID NRC–2018–0172. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: *Carol.Gallagher@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

• *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *http://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''*ADAMS Public Documents*'' and then select ''*Begin Web-based ADAMS Search.*'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *pdr.resource@nrc.gov.* The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document. The petition, PRM–170–7, is available in ADAMS under Accession No. ML18214A757.

• *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Renu Suri, Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–0161, email: *Renu.Suri@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. The Petitioner

Mr. Christopher S. Pugsley, Esq. (the petitioner) submitted this petition on behalf of WRT, requesting that the NRC amend its regulations to re-categorize licensees performing water treatment services from a full-cost recovery category to a category with a fixed annual fee.

II. The Petition

The petitioner is requesting that the NRC revise parts 170 and 171 of title 10 of the *Code of Federal Regulations* (10 CFR) to re-categorize WRT as a licensee that does not require full-cost recovery for fees billed to it during the life of its license, address consistency issues between 10 CFR parts 170 and 171 for small entities, and extend the timeframe in which a request for a fee exemption must be submitted under § 170.11. The petitioner also requests that the rule change be actively considered in the NRC's fiscal year 2019 rulemaking for its fee regulations.

III. Discussion of the Petition

The petitioner requests that the NRC amend its regulations to re-categorize WRT as a licensee that does not require full-cost recovery for fees billed to it during the life of its license under 10 CFR part 170, address consistency issues between 10 CFR parts 170 and 171 for small entities, and consider this rule change during the FY 2019 revision of the fee rule. The petitioner assists small community water systems with compliance with the uranium drinking water standard: ''WRT's license operations are not intended to process source material for its commercial value thereby reducing the financial benefit to the licensee as compared to uranium recovery facilities that process ores primarily for their source material content.'' The petitioner suggests that the NRC should further ease the financial burden on community water systems so that they may comply with the uranium drinking water standard. The petitioner also notes NRC actions that seem to agree with his recommendation.

The petitioner also requests additional conforming and related changes. The petitioner asserts that the NRC should consider addressing consistency issues between 10 CFR parts 170 and 171 fees for uranium water treatment licensees that are recognized by the NRC as small entities. The petitioner also requested that the NRC consider amending language under § 170.11 to extend the time within which a licensee may appeal the assessment of fees and apply for a fee exemption. The petitioner notes that NRC could approve the petition as an alternative to revising the NRC's fee recovery requirements during the next revision of the annual fee rule.

IV. Conclusion

The NRC will examine the issues raised in PRM–170–7 to determine whether they should be considered in rulemaking.

Dated at Rockville, Maryland, this 29th day of October, 2018.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 2018–24002 Filed 11–1–18; 8:45 am]

BILLING CODE 7590–01–P

FEDERAL HOUSING FINANCE AGENCY

12 CFR Part 1281

RIN 2590–AA82

Federal Home Loan Bank Housing Goals Amendments

AGENCY: Federal Housing Finance Agency.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Housing Finance Agency (FHFA) is proposing to amend the existing Federal Home Loan Bank Housing Goals regulation. FHFA proposes to replace the existing four separate retrospective housing goals with a single prospective mortgage purchase housing goal as well as establish a separate small member participation housing goal. The proposed rule would also allow the Banks to request FHFA approval of alternative target levels for the proposed goals. Finally, FHFA is proposing to eliminate the existing $2.5 billion volume threshold that triggers the application of housing goals for each Bank.

DATES: Written comments must be received on or before January 31, 2019.

ADDRESSES: You may submit your comments, identified by regulatory information number (RIN) 2590–AA82, by any of the following methods:

• *Agency website: www.fhfa.gov/open-for-comment-or-input.*

• *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments. If you submit your comment to the *Federal eRulemaking Portal,* please also send it by email to FHFA at *RegComments@fhfa.gov* to ensure timely receipt by FHFA. Please include ''Comments/RIN 2590–AA82'' in the subject line of the submission.

• *Hand Delivered/Courier:* The hand delivery address is: Alfred M. Pollard, General Counsel, Attention: Comments/RIN 2590–AA82, Federal Housing Finance Agency, Eighth Floor, 400 7th Street SW, Washington, DC 20219. The package should be delivered at the 7th Street entrance Guard Desk, First Floor, on business days between 9 a.m. and 5 p.m.

• *U.S. Mail, United Parcel Service, Federal Express, or Other Mail Service:* The mailing address for comments is: Alfred M. Pollard, General Counsel, Attention: Comments/RIN 2590–AA82, Federal Housing Finance Agency, Eighth Floor, 400 7th Street SW, Washington, DC 20219. Please note that all mail sent to FHFA via U.S. Mail is

routed through a national irradiation facility, a process that may delay delivery by approximately two weeks.

FOR FURTHER INFORMATION CONTACT: Ted Wartell, Manager, Housing & Community Investment, (202) 649–3157 or Ethan Handelman, Senior Policy Analyst, Office of Housing and Community Investment, (202) 649–3264. These are not toll-free numbers. The telephone number for the Hearing Impaired is (800) 877–8339. The mailing address for each contact is: Federal Housing Finance Agency, 400 7th Street SW, Washington, DC 20219.

SUPPLEMENTARY INFORMATION:

I. Comments

FHFA invites comments on all aspects of the proposed rule and will consider all comments before issuing the final rule. FHFA will post for public inspection all comments received by the deadline without change, including any personal information you provide, such as your name, address, email address, and telephone number. All comments received will be available for examination by the public through the electronic rulemaking docket for this proposed rule located on the FHFA website at *http://www.fhfa.gov.*

II. Background

A. The Federal Home Loan Bank System

The eleven Federal Home Loan Banks (Banks) are wholesale financial institutions organized under the Federal Home Loan Bank Act (Bank Act).[1] The Banks are cooperatives; only members of a Bank may purchase the capital stock of a Bank, and only members or certain eligible housing associates (such as state housing finance agencies) may obtain access to secured loans, known as advances, or other products provided by a Bank.[2] Any eligible institution (generally, a federally insured depository institution or state-regulated insurance company) may become a member of a Bank if it satisfies certain criteria and purchases a specified amount of the Bank's capital stock.[3]

As government-sponsored enterprises, the Banks have certain privileges under federal law, which allow them to borrow funds at spreads over the rates on U.S. Treasury securities of comparable maturity that are narrower than those available to corporate borrowers generally. The Banks pass along their funding advantage to their members and housing associates—and ultimately to consumers—by providing advances[4] and other financial services at rates that would not otherwise be available to their members. Among those financial services are the Banks' Acquired Member Assets (AMA) programs, under which the Banks provide financing for members' housing finance activities by purchasing mortgage loans.

B. AMA Programs

FHFA's AMA regulation authorizes the Banks to acquire certain assets from their members and housing associates as a means of advancing their housing finance mission, and prescribes the parameters within which the Banks may do so.[5] Through the acquisition of AMA, the Banks provide a source of liquidity to their members and housing associates, to further mission-related lending.

FHFA's AMA regulation authorizes each Bank, at its discretion, to invest in assets that qualify as AMA subject to the requirements of the rule. Currently, each of the eleven Banks except the Atlanta Bank offers an AMA program to its members, albeit at varying levels. As of June 30, 2018, the System's total outstanding AMA mortgages were $57.3 billion and represented 5 percent of total System assets. In contrast, the System's outstanding advances, their primary business line, represented 65 percent of total assets. Outstanding mortgages relative to total assets at the Banks offering AMA programs to its members ranged from a high of 17 percent and 15 percent at the Indianapolis and Topeka Banks, respectively, to less than 2 percent at the New York and Dallas Banks. Further, as a point of comparison, in 2017 the Enterprises' mortgage purchases represented 62 percent of the secondary mortgage market comprising the Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac), the Government National Mortgage Association (Ginnie Mae), and the Banks, while the Banks' share represented less than 1 percent.

The two AMA programs that the Banks are currently offering to their members are the Mortgage Purchase Program (MPP) and the Mortgage Partnership Finance (MPF) program. The Banks generally acquire 15- to 30-year conventional conforming fixed-rate mortgage loans secured by 1- to 4-unit residential mortgages in addition to loans guaranteed or insured by a department or agency of the U.S. government.

C. Overview of the Existing Bank Housing Goals Regulation

The existing Bank housing goals regulation has been in effect since January 2011.[6] The regulation implements section 10C(a) of the Bank Act, which requires the Director of FHFA to ''establish housing goals with respect to the purchase of mortgages, if any, by the [Banks].''[7] Section 10C(b) requires that the Bank housing goals be ''consistent with'' the housing goals established by FHFA for Fannie Mae and Freddie Mac (collectively, the Enterprises) under sections 1331 through 1334 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (Safety and Soundness Act), taking into consideration ''the unique mission and ownership structure of the [Banks].''[8]

The existing Bank housing goals regulation provides that a Bank will be subject to the housing goals if its AMA mortgage purchases in a given year exceed a volume threshold of $2.5 billion. The regulation establishes three single-family owner-occupied purchase money mortgage goals and one single-family refinancing mortgage goal applicable to the Banks' purchases under their AMA programs. The goals for purchase money mortgages separately measure performance on purchase money mortgages for (1) low-income families, (2) families in low-income areas, and (3) very low-income families. The goal for refinancing mortgages measures performance on refinancing mortgages for low-income families. The levels of the housing goals are established retrospectively using Home Mortgage Disclosure Act (HMDA) data to calculate the percentage of single-family originations in the Bank's district that qualify for each of the housing goals.

Each year, FHFA determines whether any of the Banks have exceeded the volume threshold. For each Bank that has exceeded the volume threshold, FHFA determines the Bank's performance under the housing goals. FHFA evaluates performance by calculating the percentage share of a Bank's AMA mortgage purchases that qualify for each housing goal. A Bank meets a housing goal if its performance is equal to or greater than the level of the housing goal established by FHFA based on HMDA data for that year.

[1] *See* 12 U.S.C. 1423, 1432(a).

[2] *See* 12 U.S.C. 1426(a)(4), 1430(a), 1430b.

[3] *See* 12 U.S.C. 1424; 12 CFR part 1263.

[4] Members are required to pledge specific collateral, mainly mortgages or other real estate related assets, to secure any advance taken down from a Bank. *See* 12 CFR 1266.7.

[5] *See* 12 CFR part 1268.

[6] 75 FR 81096 (Dec. 27, 2010).

[7] 12 U.S.C. 1430c(a).

[8] 12 U.S.C. 1430c(b).

III. Summary of Proposed Rule

This proposed rule would replace the existing Bank housing goals with new, streamlined goals that reflect the Banks' unique mission while supporting affordable lending. The proposed rule would provide certainty for the Banks by informing them of the housing goal levels in advance and would provide clarity and flexibility for the Banks by consolidating multiple goals into a more straightforward measurement of performance. The proposed rule would also establish a new housing goal that would measure the extent to which smaller members are participating in AMA programs.

A. New Process for Setting Housing Goal Levels

The proposed rule would revise the Bank housing goals regulation to remove the existing process for FHFA to establish the levels of the housing goals retrospectively based on HMDA data. The proposed rule would establish levels for each of the housing goals in advance, in the regulation itself. This would eliminate any uncertainty about the levels of the housing goals from year-to-year. The proposed rule would also allow the Banks to request FHFA approval of an alternative goal level. Finally, the proposed rule would eliminate the existing $2.5 billion volume threshold that triggers the application of housing goals for each Bank.

B. Prospective Mortgage Purchase Housing Goal

The proposed rule would revise the Bank housing goals regulation to remove the separate housing goals for home-purchase mortgages for low-income families, home-purchase mortgages for low-income areas, home-purchase mortgages for very low-income families, and refinancing mortgages for low-income families. The proposed rule would replace the four separate housing goals with a single, overall measurement of performance. This new housing goal would include each of the categories currently covered by the Bank housing goals, but it would not include separate targets for each category. The proposed rule would establish the prospective mortgage purchase housing goal target level at 20 percent of a Bank's AMA mortgage purchases.

C. New Housing Goal for Small Member Participation

The proposed rule would establish a separate goal for participation by smaller members in Bank AMA programs.

The proposed rule would establish the small member participation housing goal target level at 50 percent.

D. Phase-in of New Housing Goals

The proposed rule would establish a three-year phase-in for enforcement of the new housing goals.

E. Other Changes

The proposed rule would revise and simplify the criteria and requirements under which mortgages are either included or excluded from FHFA's measurement of a Bank's performance under the housing goals. The proposed rule would also revise the reporting requirements to reflect the new structure of the Bank housing goals.

IV. New Process for Setting Target Levels for Housing Goals

The proposed rule would revise the Bank housing goals regulation to establish a specific annual target level for each housing goal. The proposed rule would also allow a Bank to request FHFA approval of a different target level for either of the new housing goals. The Bank would be required to submit its proposed target level for the housing goal to FHFA for review and approval. Finally, the proposed rule would also remove the volume threshold from the Bank housing goals regulation. The new housing goals would apply to each Bank every year.

A. Target Levels for Housing Goals Established in Advance

Under the existing Bank housing goals regulation, FHFA establishes the target level for each of the housing goals retrospectively using data collected and maintained pursuant to HMDA. This data typically becomes publicly available in September of the following year, although in 2018 the Bureau of Consumer Financial Protection released 2017 HMDA data in May, subject to possible revision.[9]

A Bank meets a housing goal under the existing rule if its mortgage purchases that meet the counting requirements established in the rule, as a percentage of its overall AMA purchases, equals or exceeds the percentage originated in its district. For example, if 23 percent of mortgages originated in a Bank's district were for low-income borrowers, then the low-income share of the Bank's purchases must be 23 percent or greater.

Because the level of the housing goals is not known until after the end of the year being evaluated, it is more difficult for a Bank to assess its performance relative to the goal during the year. A Bank may therefore have more difficulty adjusting its activities based on its performance relative to the goals.

By setting the target levels for the housing goals in advance, the proposed rule would provide certainty for the Banks and would allow the Banks to monitor their own performance and, if necessary, take steps in advance to ensure that they meet the housing goals.

B. Bank-Proposed Housing Goal Levels

Under the existing Bank housing goals regulation, FHFA evaluates the feasibility of the target levels for the housing goals for a particular Bank after the fact. For each Bank that has exceeded the volume threshold in a year, FHFA determines whether the Bank met each housing goal. If FHFA determines that a Bank has not met one of the housing goals, FHFA will also determine whether achievement of the target level for the housing goal was feasible, taking into consideration any information provided by the Bank, along with market and economic conditions. While this process provides FHFA the ability to evaluate facts and circumstances for not meeting a goal that may weigh against adverse supervisory actions against the Banks, the Banks face uncertainty because the feasibility evaluation does not happen until FHFA makes its final determination on the Bank's performance, after the year being measured is over.

The proposed rule would address this uncertainty by setting a prospective goal, as described above, and by allowing a Bank to propose an alternate level for the housing goal. If a Bank's district, membership, or affordable housing needs do not fit the proposed goal and the Bank believes the goal is infeasible, the Bank would be able to propose an alternate level for FHFA review and approval. The Bank would be required to provide a justification for the alternate level by submitting any information it considers relevant to the feasibility of the proposed goal level. FHFA would review the Bank proposal to verify the Bank's showing of infeasibility, and to ensure: (1) That the proposed goal demonstrates a meaningful contribution to affordable housing, and (2) that the proposed goal would be feasible for the Bank's AMA program.

To illustrate, the proposed rule would establish target levels for each of the housing goals in advance. The target

[9] *See* Federal Financial Institutions Examination Council, ''FFIEC Announces Availability of 2017 Data on Mortgage Lending,'' (May 7, 2018), *available at https://www.ffiec.gov/press/pr050818.htm.*

level for the prospective mortgage purchase housing goal would be 20 percent of a Bank's AMA mortgage purchases, and a 50 percent participation rate by small members delivering mortgages to the Bank's AMA programs. If a Bank determines that the 20 percent prospective mortgage purchase housing goal and the 50 percent small member participation housing goal are both feasible for the Bank to achieve, the Bank would not need to take any additional action. However, each Bank would have the option to propose an alternative for one or both goals. The proposed alternatives would address only the target levels for the housing goals. A Bank would not be able to change how a goal is defined and measured or how the loans meet the counting requirements established by the rules. FHFA would consider the Bank's request and notify the Bank if the request is approved.

The proposed rule would establish a three-year cycle for setting alternate target levels for the Bank housing goals. In other words, the Bank's proposal would cover the target levels for the housing goals for the next three years. For the initial three-year housing goals cycle, the Bank would submit its request by October 31, 2019. Under special circumstances that would trigger application of housing goals, such as starting a new AMA program, a Bank would have an opportunity to propose a goal alternative.

If FHFA approves an alternate target level for one or both of the housing goals for a Bank, the evaluation process would remain the same. At the end of the year, FHFA would evaluate the Bank based on the FHFA approved alternative target level and make its determination based on whether the Bank's performance met the approved target level for the housing goal or goals.

This new alternative process for setting the target levels of the housing goals would ensure that the target levels for the housing goals are feasible for each Bank, taking into account the particular programs and activities of the Bank.

C. Removing the Volume Threshold

Under the existing Bank housing goals regulation, a Bank is subject to the housing goals only if the total unpaid principal balance (UPB) of the Bank's purchases of AMA mortgages in a year exceeds $2.5 billion (the ''volume threshold''). Since the 2010 housing goals rule became effective, there have been only three instances where a Bank exceeded the $2.5 billion annual volume threshold. The three instances were in 2015 (Indianapolis Bank) and in 2016 (Indianapolis Bank and Cincinnati Bank).

The proposed rule would eliminate the annual volume threshold for triggering the application of the housing goals. The housing goals would apply to each of the Banks each year, either at the target level established by FHFA in the housing goals regulation or a Bank-proposed alternative target level approved by FHFA.

The volume threshold was adopted to avoid adverse impact on Bank AMA programs, particularly programs focused on providing liquidity for smaller Bank members described at the time of adoption as being a relatively low level. Over time, however, the volume threshold has instead operated as an upper limit on Bank AMA programs. Banks below the volume threshold in effect avoid the housing goals, while Banks above the threshold face application of housing goals that AMA programs were not designed to, and typically did not, meet.

Housing goals will better serve their public purpose if they are flexible enough to be meaningful and achievable for a variety of Bank AMA programs. Instead of the housing goals being a simple binary on-or-off based on a volume threshold, the proposed rule offers a mechanism for goals to apply to all Banks in ways that fit their unique mission. The new process for setting the levels of the housing goals would accomplish the purpose of the volume threshold by allowing the Banks to propose meaningful and achievable target levels based on the nature of the AMA program at each Bank.

D. FHFA Discretion and Feasibility Review

The proposed rule would retain existing provisions that allow FHFA to exercise discretion when events out of a Bank's control occur, such as unexpected market shifts or member mergers. It would also retain the feasibility review that FHFA would undertake before exercising remedies if a Bank did not meet either housing goal.

V. Prospective Mortgage Purchase Housing Goal

The proposed rule would replace the four housing goals in the existing Bank housing goals regulation with a prospective mortgage purchase housing goal. The new housing goal would include mortgage loans that met the criteria for any of the current housing goals. The proposed rule would establish the target level for the new goal in the regulation at 20 percent of each Bank's total purchases of AMA mortgages. The proposed rule would also limit the number of loans to higher-income borrowers that could be counted toward this goal. This new prospective mortgage purchase housing goal would encourage affordable home lending as part of safe, sound, and sustainable business growth for the Banks, while providing flexibility to the Banks in how they serve borrowers by working with members.

A. Structure of the Prospective Mortgage Purchase Housing Goal

Under the existing Bank housing goals regulation, there are four separate housing goals. Three of the goals measure Bank purchases of AMA purchase money mortgages on owner-occupied, single-family housing. The current home purchase housing goals require a Bank to meet separate targets for mortgages for low-income families (*i.e.,* families with incomes at or below 80 percent of area median income), mortgages for very low-income families (*i.e.,* families with incomes at or below 50 percent of area median income), and mortgages for families in low-income areas. The regulation defines ''families in low-income areas'' to include families in low-income census tracts regardless of family income, as well as moderate-income families in minority census tracts (*i.e.,* census tracts with minority population of at least 30 percent and a tract median income less than the area median income) and moderate-income families in designated disaster areas. The fourth housing goal under the existing Bank housing goals regulation measures Bank purchases of AMA refinancing mortgages on owner-occupied, single-family housing for low-income families.

The categories of the current Bank housing goals are the same as the housing goals for Fannie Mae and Freddie Mac (the Enterprises). The Enterprise housing goals include the same single-family housing goals as the Bank housing goals, along with separate single-family subgoals and multifamily goals that are not included in the Bank housing goals. The separate categories for the individual single-family housing goals are established by statute for the Enterprises and are designed to encourage the Enterprises to target activity in each of the separately defined areas. Multiple housing goals targeting specific segments of the market are appropriate for the Enterprises, which are large institutions operating nationwide and are able to design products and programs to support many different segments of the mortgage market.

The Banks are smaller institutions with mortgage purchase programs that

are much more limited in scope than the broad-based purchase activities of the Enterprises. Thus, it is more difficult for the Banks to develop products and programs targeting each of the market segments covered by the existing Bank housing goals. The proposed rule would replace the four separate housing goals for the Banks with a new prospective mortgage purchase housing goal including mortgage purchases that meet any of the existing housing goal categories. This new goal would greatly reduce the complexity of the housing goals and would make it easier for the Banks to appropriately target their AMA purchase activity based on their individual needs and the needs of their members.

The proposed rule would establish a prospective mortgage purchase housing goal, which would include all single-family, first lien AMA mortgages purchased by a Bank. Eligible mortgages meeting the income or geographic eligibility requirements for any of the current four housing goals would continue to be eligible under the proposed goal. This would include mortgages for low- or very low-income borrowers and mortgages for borrowers living in low-income areas.

The new housing goal would also include both purchase money mortgages and refinancing mortgages. This would include refinancing mortgages for low-income families, which currently count only for the separate low-income families refinancing goal. By combining the different categories into a single, overall goal the proposed rule would make refinancing mortgages for families of any income level who reside in low-income areas meet the counting requirements established by the rule.

B. Proposed Level for the Prospective Mortgage Purchase Housing Goal

The proposed rule would establish the target level for the new prospective mortgage purchase housing goal at 20 percent of the Bank's AMA mortgage purchases. In proposing a 20 percent target for the new housing goal, FHFA considered how the Banks would have performed under this new overall goal in recent years, the ability of the Banks to meet the new prospective mortgage purchase housing goal, as well as the needs of underserved borrowers.

Past performance of the Banks. Historically, most of the Banks have exceeded the 20 percent goal level. Table 1 below shows how the Banks would have performed under the proposed prospective mortgage purchase housing goal using 2017 data. For each Bank, the Table shows the percent of all AMA loans that were to very low-income (at or below 50 percent of area median income) borrowers, the percent of all AMA loans that were to low-income (above 50 percent and at or below 80 percent of area median income) borrowers, and the percent of loans to borrowers above low-income but that meet the low-income areas criteria. The low-income areas contribution to the housing goal is further limited by the requirement that no more than 25 percent of the loans counting toward the housing goal can be to borrowers above the low-income level.

The following Chart 1 shows a time series of each Bank's total percentage of loans meeting the prospective mortgage purchase housing goal over the period 2011–2017. Note that the tables and charts in this proposed rule mask the identity of individual Banks to maintain confidentiality of Bank data. The letters have been randomized for each table and chart (*i.e.,* Bank A may refer to different Banks in different tables). Rows may not appear to total due to rounding.

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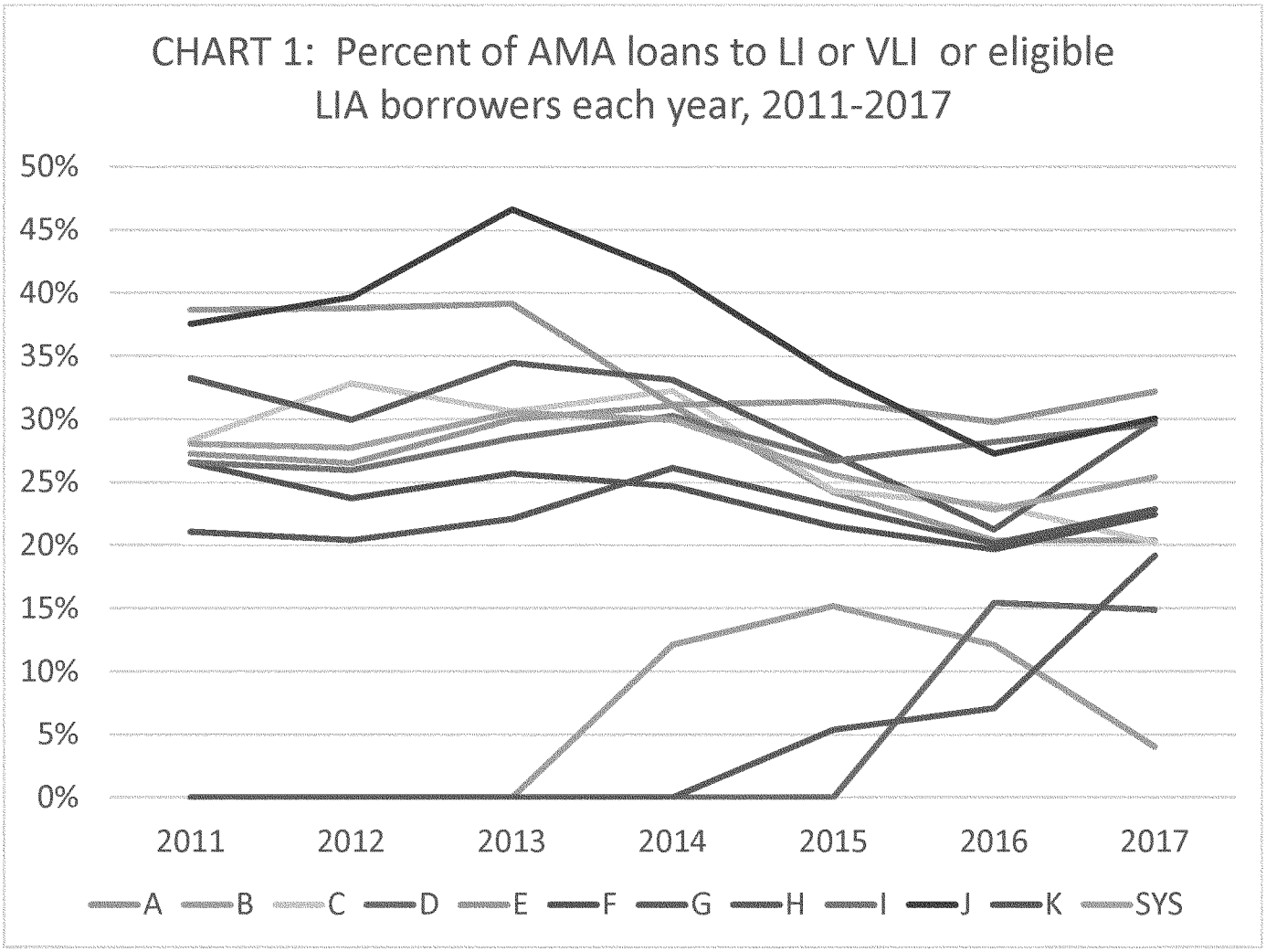
Table 1

Percent of AMA Loans Meeting Prospective Mortgage Purchase Housing Goal

Bank	Very-Low Income	Low-Income	Low income areas	Total
A	3%	12%	5%	20%
B	5%	17%	7%	30%
C	0%	3%	1%	4%
D	5%	19%	8%	32%
E	2%	10%	4%	15%
F	3%	13%	5%	20%
G	3%	14%	6%	23%
H	4%	15%	0%	19%
I	6%	19%	5%	30%
J	6%	18%	6%	30%
K	3%	13%	6%	22%
System	4%	15%	6%	25%

Data year 2017



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In 2017, the combined housing goals performance for the Bank System as a whole (shown as SYS in Chart 1) would have reached 25 percent of all AMA mortgages. The performance of the individual Banks varies significantly. The variation in performance likely results from the volumes of AMA purchased by individual Banks, different focuses by different Banks, district-level differences in the housing markets, and that Banks under the $2.5 billion threshold are not motivated to meet the affordable housing goals. Note that for the three Banks at zero for some years, Chart 1 reflects that these Banks did not have active AMA programs in those years. The same three Banks are the only Banks that would have not met the proposed 20 percent housing goal target in 2017, which may be related to having more recent AMA program initiation.

Feasibility of the proposed goal. In proposing the 20 percent target for the new prospective mortgage purchase housing goal, FHFA seeks to ensure that the proposed target level for the housing goal demonstrates a meaningful contribution to affordable housing while also being feasible given the structure of AMA programs. Striking the appropriate balance is challenging in part because of the variation in performance of the different Banks. A target level for the housing goal that is high enough to be meaningful for one Bank may not be feasible for another Bank to achieve based on differences between the Bank districts and the individual Bank prudential limits on AMA purchases.

Eight of the eleven Banks would have achieved the proposed housing goal level of 20 percent each year since 2011, though the performance for several Banks was very close to the 20 percent target in some years. The 20 percent housing goal level would be high enough to be meaningful for those Banks, while still being feasible for the Banks to achieve.

For the three Banks whose performance would have been below the 20 percent target level in 2017, it may be possible for the Banks to increase their performance. Alternatively, these Banks may elect to propose alternate target levels if the 20 percent target is infeasible based on the specific circumstances in their respective districts and under their existing AMA programs.

Needs of underserved borrowers. In determining the target level to propose, FHFA considered the Nation's affordable housing needs, which affect both homeowners and renters, while focusing on homeownership as the policy area most directly connected to the Bank housing goals. The national homeownership rate declined every year from 2004 to 2017, with particularly sharp declines for younger households and African American households.[10] Tight access to mortgage credit is an ongoing factor in the lack of access to homeownership, particularly

[10] *See* Joint Center for Housing Studies of Harvard University, ''The State of the Nation's Housing 2017,'' 23 (2015), *available at http://www.jchs.harvard.edu/sites/default/files/harvard_jchs_state_of_the_nations_housing_2017_0.pdf.*

in places with lower-cost homes.[11] Workers in growing sectors like healthcare often cannot afford to purchase even modestly priced homes in most metropolitan statistical areas. As an example, a typical emergency medical technician could afford the median home price in only 17 out of 203 metropolitan statistical areas in a recent analysis.[12] Improved financing opportunities can help mitigate homeownership difficulties for underserved borrowers.

FHFA recognizes these challenges and has considered them in proposing a target level for the AMA home purchase housing goal of 20 percent. The proposed target level encourages the Banks to continue to make meaningful contributions to affordable housing, while recognizing the limited ability of the Banks to affect the overall housing market.

C. Cap on Mortgages to Higher-Income Borrowers in Low-Income Areas

As discussed above, the proposed rule would combine each of the categories for the four current Bank housing goals into a single overall housing goal. These categories include mortgages on properties in low-income areas, which may include some mortgages for families with incomes above the low-income maximum of 80 percent of area median income. The proposed rule would include a limit on the extent to which a Bank could rely on mortgages for higher-income families in these areas to meet the new housing goal.

The proposed prospective mortgage purchase housing goal would include mortgages for families in low-income areas as one of the criteria for loans to be counted toward the new housing goal. The proposed rule remains unchanged from the current rule in that it would continue to define ''families in low-income areas'' to include (a) families in low-income census tracts regardless of family income, (b) moderate-income families in minority census tracts (*i.e.,* census tracts with minority population of at least 30 percent and a tract median income less than the area median income), and (c) moderate-income families in designated disaster areas. These criteria are summarized in Table 2:

TABLE 2—LOW-INCOME AREAS COMPONENTS

	Income requirement	Geographic requirement
Path 1	None	Tract Income. ≤80% AMI.
Path 2	≤100% AMI.	Minority Census Tract. (≥30% minority + Tract Income <100% AMI
Path 3	≤100% AMI	Designated Disaster Area.

The definition of families in low-income areas is different from the other components included in the proposed housing goal because it can include mortgages for families with higher incomes. For properties located in low-income census tracts, each mortgage purchase would count toward a Bank's achievement of the housing goal, regardless of family income. For properties in minority census tracts and for properties in designated disaster areas, mortgage purchases would count if family income is lower than the area median income, which would include families with incomes between 80 percent and 100 percent of area median income.

As a result, it is possible for loans to higher-income households in low-income areas to count toward achievement of the housing goal. While the proposed rule would not exclude such mortgages for higher-income families from counting entirely, the proposed rule would limit the extent to which a Bank could rely on such loans as the primary means of meeting the housing goal. FHFA recognizes an unresolved tension between the need for homeownership investment in communities that have lacked consistent, large-scale homeownership investment, on one hand, and concern about the impact of an influx of higher-income households on existing residents, on the other hand.[13]

HMDA data on mortgage lending overall suggest that lending to higher-income borrowers in low-income census tracts is already a growing segment. There is a rising trend from 2010 to 2016 of mortgages originated for borrowers with incomes greater than 120 percent of area median income in low-income census tracts. This reached a high of 33.4 percent of all borrowers in low-income census tracts in 2016, as Table 3 below shows:

TABLE 3

Income Distribution of Borrowers Residing In Low-Income Census Tracts

Borrower Income Relative to Area Median Income (AMI)

	2010	2011	2012	2013	2014	2015	2016
Borrower Income ≤ 50% AMI	18.2%	18.3%	17.4%	14.1%	12.9%	13.1%	11.9%
Borrower Income > 50% and ≤ 60% AMI	10.1%	9.6%	10.0%	9.3%	8.8%	9.0%	8.7%
Borrower Income > 60% and ≤ 80% AMI	18.9%	18.4%	18.3%	18.1%	18.1%	18.2%	18.2%
Borrower Income > 80% and ≤ 100% AMI	14.2%	14.1%	13.9%	14.5%	14.8%	14.9%	15.2%
Borrower Income > 100% and ≤ 120% AMI	10.2%	10.0%	10.3%	11.1%	11.5%	11.5%	11.8%
Borrower Income > 120% AMI	27.5%	28.4%	28.9%	31.7%	33.1%	32.4%	33.4%
Income Missing	1.0%	1.3%	1.2%	1.3%	0.9%	1.0%	0.8%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

[11] *Id.*

[12] National Housing Conference, ''Paycheck to Paycheck 2017,'' 3 (Sept. 2017), *available at http://www.nhc.org/wp-content/uploads/2017/09/2017-Paycheck-to-Paycheck-Final.pdf.*

[13] For information on the effects of gentrification, *see generally* Federal Reserve Bank of Philadelphia, ''Research Symposium on Gentrification and Neighborhood Change'' (May 25, 2016), *available at https://www.philadelphiafed.org/community-development/events/2016/research-symposium-on-gentrification;* Diane K. Levy, Jennifer Comey & Sandra Padilla, ''IN THE FACE OF GENTRIFICATION: Case Studies of Local Efforts to Mitigate Displacement'' (Urban Institute 2006), *available at https://www.urban.org/sites/default/files/publication/50791/411294-In-the-Face-of-Gentrification.PDF.*

To limit the extent to which a Bank can rely on mortgages for higher-income families in meeting the prospective mortgage purchase housing goal, the proposed rule would establish a cap on how much of the goal a Bank can satisfy with loans to borrowers above the low-income threshold (*i.e.,* 80 percent of area median income). Specifically, the proposed rule would require that at least 75 percent of all mortgage purchases that count toward achievement of the prospective mortgage purchase housing goal be for borrowers with incomes at or below 80 percent of area median income. Stated differently, no more than 25 percent of the mortgages a Bank uses to qualify for the prospective mortgage purchase housing goal could be to borrowers above 80 percent of AMI. This cap would allow Banks to provide significant support for low-income areas, including minority census tracts and designated disaster areas, while ensuring an overall focus on low-income and very low-income borrowers.

Note that the proposed cap would not prohibit the Banks from purchasing mortgages for borrowers with incomes above 80 percent of AMI. Rather, it would simply limit the extent to which such mortgages could be counted toward achievement of the housing goals.

D. Comparison to Enterprise Housing Goals

FHFA considered the similarities and differences between the Enterprises' mortgage purchases and the Banks' mortgage purchases when proposing Bank housing goals. Both the Enterprises and the Banks provide valuable sources of liquidity for the secondary mortgage market and support for affordable housing. Key differences, however, informed the goal structure and levels in this proposed rule.

The Enterprises are chartered to provide stability and liquidity in the secondary market for residential mortgages by purchasing and making commitments to purchase residential mortgages. The Banks, in contrast, operate AMA programs at their discretion. If a Bank believes housing goals are too onerous or require unacceptable risks, it may cease purchasing mortgages entirely.

The Banks' AMA purchases are so small compared to other secondary market participants that they do not shape the market in the way the Enterprises do. Combined Bank AMA purchases constituted only 1 percent of the total unpaid principal balance of secondary market activity comprising Fannie Mae, Freddie Mac, Ginnie Mae, and the Banks. The Enterprises together represented 62 percent. The Banks are therefore market-takers, not market-makers.

Additionally, unlike Fannie Mae and Freddie Mac, the Banks hold in portfolio nearly all loans they purchase and must manage the related market risk exposure. While FHFA considers AMA mortgage loans a mission asset, it also advises each Bank's board of directors to establish prudential limits for the mortgage purchases. The combination of the AMA regulatory requirements, the fact that the Banks hold the loans in portfolio, and the fact that the decision to offer an AMA program to members is at a Bank's discretion (with FHFA approval) all contribute to the AMA programs being market-takers.

Goal levels reflect these differences. The Enterprises have different percentage benchmarks for each of their goals and subgoals. FHFA also compares Enterprise performance retrospectively to market levels. If an Enterprise meets either the benchmark or the market level in a particular year, FHFA determines that it has met the goal. These goals are appropriate for entities with a market position like the Enterprises. In contrast, the goal level for the Banks combines all of the eligible categories from the Enterprise goals and reflects the market niche the Banks occupy. It is difficult to compare the benchmark levels for the Enterprise goals to the proposed target level for the prospective Bank housing goal. The Enterprise housing goals measure performance in four separate categories. Table 4 below illustrates the benchmark levels from 2017 for the Enterprise housing goals (market levels are published in the 2018 Annual Housing Report).

TABLE 4—ENTERPRISE GOAL LEVELS, 2017

Goal	Benchmark Level, 2017 (%)
Low-Income Home Purchase Goal	24
Very Low-Income Home Purchase Goal	6
Low-Income Areas Home Purchase Goal	18
Low-Income Areas Home Purchase Subgoal	14
Low-Income Refinance Goal	21

The prospective Bank housing goal would combine these four categories into a single overall goal, but it is not possible to add the benchmark levels together because the categories measured by the Enterprise housing goals have significant overlap.

FHFA invites comment on all proposed changes related to the prospective mortgage purchase housing goal including but not limited to the following specific questions (please identify the question answered by the number assigned below):

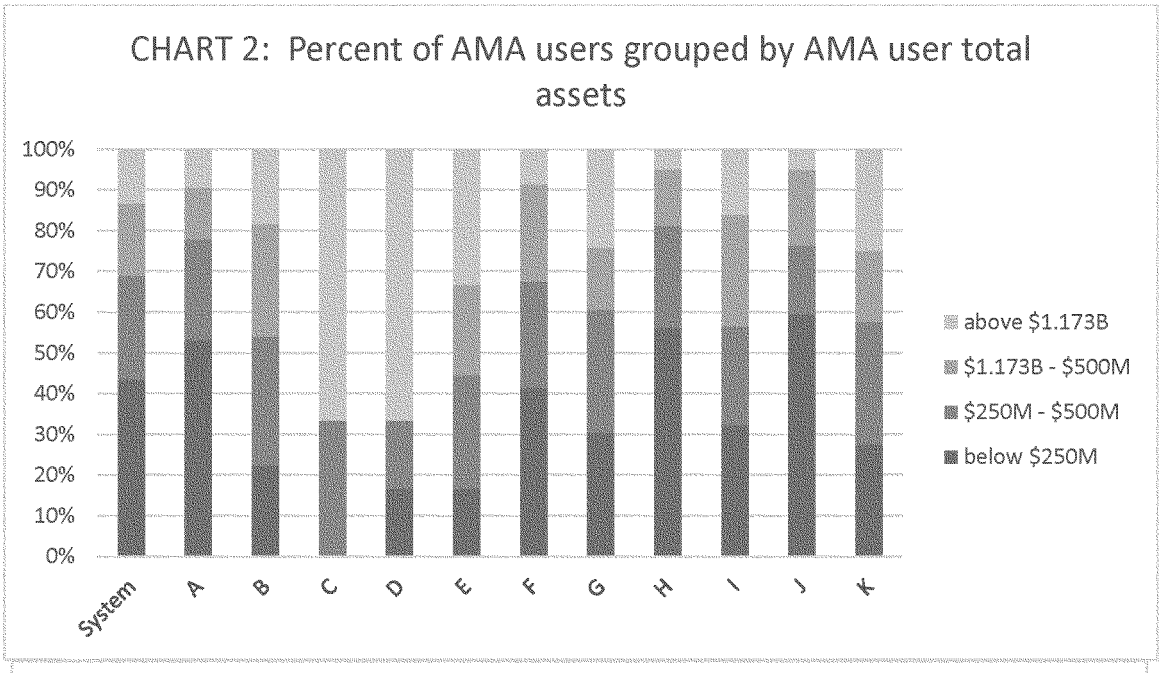
1. Is a prospective mortgage purchase housing goal measured as a percentage of each Bank's AMA purchases the optimal way to meaningfully and achievably encourage affordable home mortgage purchases? If not, what other options would more likely result in attainment of that goal? Why?
2. Is 20 percent the appropriate level? Why or why not? Please provide quantitative analysis to support your position when possible.
3. Is a single percentage goal that includes purchase and refinance loans to low-income borrowers, very low-income borrowers, and families in low-income areas an appropriate mechanism? Why or why not?
4. Is the 25 percent cap on AMA mortgages to higher-income borrowers in low-income areas that count towards the goal the appropriate level? Why or why not? Please provide quantitative analysis to support your position when possible.
5. What changes could Banks make to their AMA products to encourage more purchases of affordable home mortgages if needed to meet a goal?
6. Should the Banks have an additional opportunity to propose a revision to the target level for either housing goal, either annually or at some other interval? Why or why not?

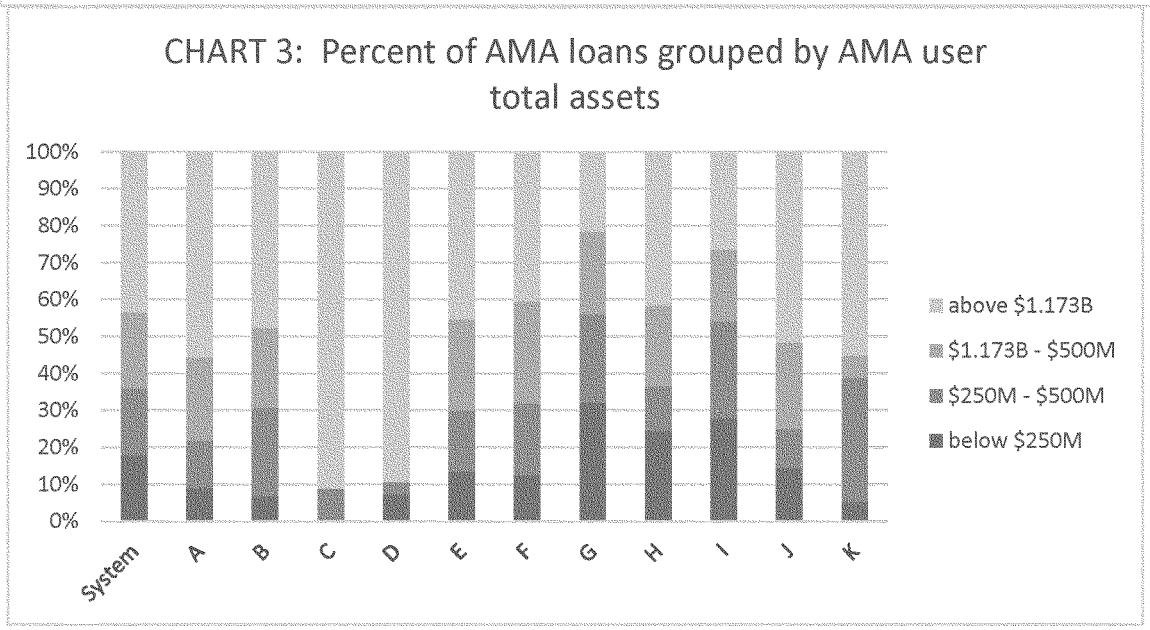
VI. Proposed Housing Goal for Small Member Participation

The proposed rule would establish a new small member participation housing goal that would require each Bank to ensure that a certain percentage of the members participating in the Bank's AMA programs are smaller members. The new small member participation housing goal would recognize that smaller lenders are well-positioned to reach borrowers with affordable housing needs.

Across the Bank System, a majority of the members participating in AMA programs are small with respect to asset size, but a majority of the number of AMA mortgages purchased by the Banks come from members with larger assets. In 2017, 87 percent of AMA users had total assets below $1.173 billion, the current threshold for community financial institutions. Those AMA users sold 57 percent of the total number of loans purchased by the Banks. Charts 2 and 3 below show the distribution of each Bank's AMA users by asset size

and share of the number of loans purchased. Note that most Banks have a large majority of AMA users below the community financial institutions threshold—Chart 2 shows the Bank System as a whole had roughly 85 percent of its AMA users in that category in 2017. Chart 3 shows, for instance, that in the Bank System nearly 45 percent of the AMA loans in 2017 came from AMA users larger than the community financial institutions threshold.





In proposing the new small member participation housing goal, FHFA considered that one of the benefits of Bank AMA programs is connecting members with the secondary mortgage market. This connection has the potential to particularly benefit borrowers in rural communities or places of persistent poverty where borrowers have less access to credit. Small institutions appear more likely to originate loans to low-income and very low-income households, as Table 5 below documents. It shows that in 2017, participating financial institutions (PFIs) above the community financial institutions asset cap produced 17 percent of their loans for low-income or very low-income borrowers, while PFIs that were also community financial institutions produced 21 percent.

TABLE 5—Affordable housing loan production by large and small PFIs, 2017

		Total loans	Very Low-Income	Low-Income	VLI + LI
PFIs with total assets above	$1,173,000,000	24,576	913	3,311	4,224
Percent of asset category total		100%	4%	13%	17%
PFIs with total assets below	$1,173,000,000	31,394	1,369	5,070	6,439
Percent of asset category total		100%	4%	16%	21%
Total all PFIs		55,970	2,282	8,381	10,663
Percent of all loans		100%	4%	15%	19%

The proposed small member participation housing goal would align with FHFA's policy position embodied in the AMA regulation, which considers the cooperative structure of the Banks and that the Banks, as government-sponsored enterprises, pass along their funding advantage to their members by providing financial services, including AMA programs. FHFA recognizes that adding new members to participate in AMA, especially smaller members with less staff capacity, requires active marketing and outreach with a long sales cycle. As individual AMA user participation may vary year-to-year, Banks would have to maintain outreach efforts to ensure that small member participation continues at or above the target level. Nevertheless, the investment of time and effort to bring new members to the program should pay off both in new lending to borrowers that may not otherwise receive access to credit and in safe and sound business growth for the Banks.

A. Structure of the Small Member Participation Housing Goal

The existing Bank housing goals regulation does not include a goal specifically targeting smaller member participation in the Bank AMA programs. However, the Bank housing goals have long recognized the importance of smaller members for the Banks, and conversely, the importance of the Bank AMA programs for some smaller members. For example, the final rule establishing the Bank housing goals included a volume threshold in part ''to avoid adverse impact on Bank AMA programs, particularly with respect to CFIs [community financial institutions].'' [14]

The proposed rule would establish for the first time a new housing goal for smaller member participation in Bank AMA programs. The new goal would encourage Banks to maintain a focus in their AMA programs on small members that are more likely to produce affordable home loans to low-income households. Small institutions often rely on their Bank membership for a connection to the secondary mortgage market. It is reasonable to require the Banks to deploy their federally supported funding-cost advantage for the benefit of small members that might otherwise have difficulty accessing national capital markets, rather than primarily to augment the financial results of large members that have no such difficulty.[15] Small institutions are also an important source of credit access for rural areas, places of persistent poverty, and other underserved populations.

The Banks already serve many small members, so the small member participation housing goal would encourage them to maintain that focus over time. FHFA anticipates that the working relationships between Banks and small members will result in ongoing purchases of mortgages to benefit borrowers in need of financing for affordable housing.

B. Proposed Level for the Small Member Participation Housing Goal

The proposed rule would establish the target level for the new small member participation housing goal as having at least 50 percent of ''AMA users'' be small members. The proposed rule would define ''AMA user'' to include any PFI that sells one or more AMA mortgage(s) to a Bank during the year being measured. The proposed rule would define the small member participation housing goal by incorporating the definition of ''community financial institution'' in the Bank membership regulation, which includes institutions with total assets below the community financial institution threshold, currently $1.173 billion.[16]

In proposing a 50 percent target for the new small member participation housing goal, FHFA considered how the Banks would have performed under this goal in recent years and the ability of the Banks to meet the new goal.

Past performance of the Banks. Table 6 below shows how each Bank would have performed under the new small member participation housing goal in 2017.

[14] 75 FR 81096, 81098 (Dec. 27, 2010).

[15] For this reason, FHFA grounds the small-member goal not just in the housing goals section of the Bank Act, 12 U.S.C. 1430c, but also in the statutory basis for the AMA program more generally. *See* 12 U.S.C. 1430, 1430b, 1431; *Texas Savings & Community Bankers Ass'n* v. *Federal Housing Finance Board,* 201 F.3d 551 (5th Cir. 2000).

[16] 12 CFR 1263.1.

TABLE 6—Small member AMA participation, 2017

Bank	Small members as percent of AMA users	Additional small member AMA users if needed to meet 3% incremental progress in 2018	Comparison: Small members as percent of all members
A	67%	met target	1%
B	33%	1	1%
C	91%	met target	13%
D	95%	met target	23%
E	33%	1	0%
F	95%	met target	13%
G	91%	met target	10%
H	76%	met target	20%
I	84%	met target	17%
J	82%	met target	14%
K	75%	met target	9%
System	87%	met target	10%
Target percentage		50%	
Data year		2017	
Note: Bank E purchased AMA loans from only a few AMA users in 2017, so the percentage of all members rounds to zero.			

In 2017, nine of the eleven Banks would have met the new small member participation housing goal as proposed, with most of the Banks being significantly over the proposed 50 percent goal level. Two of the eleven Banks would have fallen below the 50 percent goal level. The two Banks that would not have met the goal in 2017 are also noteworthy in that they had very few AMA users during 2017.

Feasibility of the proposed goal. In proposing the 50 percent target for the new small member participation housing goal, FHFA considered the ability of the Banks to meet the new proposed goal. Recognizing that some Banks may currently have performance that would fall below the proposed goal level, the proposed rule would provide an alternate means of achieving the goal. If a Bank's performance under the goal falls below the 50 percent goal level, the Bank could also comply by increasing its performance under the goal by 300 basis points compared to the preceding year. For example, if only 33 percent of a Bank's AMA users had been small members in the preceding year, the next year the Bank could satisfy the goal if at least 36 percent of its AMA users are small members. Once a Bank reaches the 50 percent participation rate, it would no longer need to demonstrate annual growth.

FHFA also retains its supervisory discretion if a percentage changed due to events outside of a Bank's control, such as a sudden drop in participation due to member mergers or failures.

FHFA invites comments on all aspects of the small member participation housing goal and specifically solicits comments on the following questions (please identify the question answered by the number assigned below):

7. Is the small member participation housing goal an effective way to encourage access to mortgage credit in rural communities or places of persistent poverty, or would other approaches be more effective?

8. Should FHFA consider an alternative level (other than the community financial institutions threshold, currently $1.173 billion) for defining ''small member?''

9. Are there any issues that FHFA should consider related to the proposed 300 basis point growth rate under the small member participation housing goal? If so, please suggest and explain an alternative approach.

10. Is the 50 percent goal too low, considering that nine of the 11 Banks already meet it?

VII. Phase-in of New Housing Goals

The proposed rule would establish a phase-in period for enforcement of the new housing goals. Although many Banks would be on track for immediate compliance based on their 2017 performance, FHFA acknowledges that it may take substantial effort for some Banks to comply. A phase-in period would help the Banks adjust to the

housing goals and manage risk appropriately.

The existing Bank housing goals regulation sets forth procedures for how FHFA enforces the housing goals.[17] For each Bank that is subject to housing goals, the Director determines whether a Bank achieved the goal(s), provides notice to the Bank of the Director's preliminary determination, receives a response from the Bank, and determines whether goal(s) achievement was feasible.[18] If the Director finds that a Bank has not achieved a goal and the goal was feasible, the Director may require the Bank to submit a housing plan.[19]

The proposed rule would modify these provisions to specify that not meeting a goal in the first or second year in which the new regulation is in effect will not result in the Director requiring a housing plan. During the first and second year, FHFA would monitor performance using existing AMA data collection, notify the Banks of its preliminary determination, and then make a final determination as described above, including determining whether the goal was feasible. FHFA would not, however, require a housing plan for not meeting a goal in the first or second year. The Banks should expect full implementation of the rule including the possibility of a housing plan if a Bank does not meet a housing goal in 2022.

The phase-in period would not limit the Director's remedies apart from imposition of a housing plan due to the housing goals, such as through supervisory criticism in the examination process, nor would it limit FHFA's discretion with respect to feasibility determinations.

VIII. Other Changes

The proposed rule would make a number of changes to provisions in the current Bank housing goals regulation that address which mortgages count for purposes of the housing goals. The proposed rule would revise the Bank housing goals regulation to: (a) Permit mortgages guaranteed or insured by a department or agency of the U.S. government to count for purposes of the Bank housing goals; (b) address the treatment of participations among different Banks under the Bank housing goals; and (c) remove provisions related to Home Ownership and Equity Protection Act (HOEPA) mortgages and mortgages with unacceptable terms and conditions.

A. Counting Requirements for Federally Backed Mortgages

The proposed rule would revise the existing Bank housing goals regulation to allow mortgages guaranteed or insured by a department or agency of the U.S. government to count for purposes of the Bank housing goals.

The Enterprise housing goals are defined by statute to include only conventional loans, *i.e.,* those that are not government-backed. The existing Bank housing goals regulation includes the same provisions excluding loans guaranteed or insured by a department or agency of the U.S. government from counting for purposes of the Bank housing goals. The proposed rule would change this provision so that these mortgages would be counted for purposes of the Bank housing goals. Non-conventional loans would continue to be excluded from the Enterprise housing goals.

Federal Housing Administration (FHA), Veterans Administration (VA), and Rural Housing Service (RHS) provide mortgage options that can help lower-income borrowers and borrowers in low-income areas achieve homeownership, for instance, with lower down payments. Some lenders—and particularly smaller lenders—may lack the economy of scale needed for efficiently participating in multiple secondary market options. Some depositories have dropped federally backed mortgages from their product lines, while nonbanks—which are generally ineligible to be members—originate an increasing share of this market.[20] For many PFIs, the Banks are their preferred means of access to the secondary market because of the high level of service Bank staff provide and the longstanding member relationships. Allowing small institutions to use their preferred secondary market channel along with government backing through FHA, VA, or RHS means those institutions do not have to choose between secondary market executions and loan type and can therefore better serve their borrowers.

The Banks acquire federally backed mortgages through products under both the MPF and MPP programs. Under the MPF program, the Banks acquire federally backed loans for their ''MPF Government'' and ''MPF Government MBS'' products. With ''MPF Government,'' the Bank serves as investor and holds the loans on its balance sheet. With ''MPF Government MBS,'' the Bank essentially serves as an aggregator, purchasing federally backed mortgages (MPF Government loans) and then issuing Ginnie Mae securities backed by the mortgages.

The Banks' purchases of federally backed mortgages have varied greatly. In 2017, the Bank System's purchases of federally backed loans represented 10 percent of total AMA loans (less than 8 percent measured by UPB), but the purchases by individual Banks ranged from 0 percent to 100 percent, as detailed in the Table 7 below:

[17] *See* 12 CFR 1281.14 and 1281.15.

[18] *See* 12 CFR 1281.14.

[19] *See* 12 CFR 1281.15.

[20] According to Ginnie Mae, nonbanks' overall share of Ginnie Mae MBS issuances more than doubled from 36 percent in early 2013 to over 77 percent as of November 2016. *See* Ginnie Mae, ''The Role of Nonbanks in Expanding Access to Credit,'' 3 (Jan. 2017), *available at https://www.ginniemae.gov/newsroom/publications/Documents/expand_role_nonbanks.pdf. See also* Christopher Whalen, ''No good reason for banks to offer more government-backed mortgages,'' American Banker (Jan. 22, 2018), *available at https://www.americanbanker.com/opinion/no-good-reason-for-banks-to-offer-more-government-backed-mortgages.*

TABLE 7—AMA Purchases of Federally Backed Loans in 2017

Bank	Total loans	Federal	Percent federal
A	1,335	1,335	100%
B	7,199	535	7%
C	9,000	0	0%
D	3,319	96	3%
E	1,616	143	9%
F	2,615	0	0%
G	8,739	1,163	13%
H	6,333	1,796	28%
I	2,746	0	0%
J	3,273	568	17%
K	9,815	140	1%
System	55,990	5,776	10%

The proposed rule would simplify the rules under which mortgages may be counted by including purchases of federally backed mortgages under AMA products. This approach would also complement FHFA's AMA regulation, provide better secondary market execution for many PFIs, and support the needs of underserved borrowers.

B. Counting Participations

The current Bank housing goals regulation does not explicitly address the treatment of ''participations.'' A participation exists where two or more institutions each acquire a percentage interest in a mortgage. The proposed rule would incorporate existing FHFA guidance on the treatment of participations into the regulation.

FHFA has addressed the Bank housing goals treatment of participations under two different scenarios. Under the first scenario, a Bank would purchase a mortgage and later sell a participation interest in the mortgage to another Bank. FHFA addressed this scenario in the Supplementary Information to the 2010 final rule establishing the Bank housing goals. In this scenario, FHFA stated that ''each mortgage will be assigned to the Bank that initially acquired the mortgage regardless of whether an interest in the mortgage was later sold to another Bank.'' [21] The proposed rule would codify in the regulation that participations among Banks that are executed after the mortgage was first acquired by a Bank should not be counted as ''mortgage purchases'' for purposes of the Bank housing goals regulation. This exclusion would apply even if the participation were executed on the same day as the original acquisition by a Bank.

Under a second scenario, two or more Banks would each purchase participation interests in the same mortgage simultaneously. FHFA has interpreted the existing Bank housing goals regulation to require that such transactions be counted on a *pro rata* basis according to each Bank's percentage interests in the mortgage. The proposed rule would codify in the regulation that participations among Banks that are entered simultaneously pursuant to an existing participation agreement should be counted as ''mortgage purchases'' based on the *pro rata* number of mortgages according to each Bank's percentage interests for purposes of the Bank housing goals regulation.

C. HOEPA Mortgages and Mortgages With Unacceptable Terms and Conditions

The current Bank housing goals regulation counts purchases of ''HOEPA mortgages'' and ''mortgages with unacceptable terms and conditions'' in the housing goals denominator, but makes them ineligible for the numerator.[22] This category generally encompasses mortgages with excessive points and fees, the financing of single premium, credit life insurance, and high prepayment penalties.[23]

FHFA has issued other guidance to the Banks covering purchases of mortgages with predatory features or accepting such mortgages as collateral for advances.[24] The prohibition on goals eligibility in the current regulation is largely redundant with that guidance, and the Banks have demonstrated no interest in purchasing such mortgages. The proposed rule would remove the restriction from the Bank housing goals regulation. FHFA would instead rely on existing supervisory and regulatory authorities and procedures to address any concerns about particular types of mortgages.

IX. Section-by-Section Analysis of Proposed Rule

The proposed rule would also revise other provisions of the Bank housing goals regulation, as discussed below.

A. Changes to Definitions—Proposed § 1281.1

The proposed rule includes changes to definitions used in the current Bank housing goals regulation. The proposed rule would add new definitions of ''AMA mortgage,'' ''AMA program,'' ''AMA user,'' ''CFI asset cap,'' and ''community financial institution or CFI,'' and would revise the definitions of ''dwelling unit,'' ''families in low-income areas,'' ''median income,'' ''metropolitan area,'' ''mortgage,'' and

[21] *See* 75 FR 81096, 81103 (Dec. 27, 2010), *available at https://www.gpo.gov/fdsys/pkg/FR-2010-12-27/pdf/2010-32350.pdf.*

[22] *See* 12 CFR 1281.1.

[23] *Id.*

[24] *See generally* ''Federal Home Loan Bank Collateral for Advances and Interagency Guidance on Nontraditional Mortgage Products, Notice of study and recommendations and request for comment,'' 74 FR 38618 (Aug. 4, 2009), *available at https://www.gpo.gov/fdsys/pkg/FR-2009-08-04/pdf/E9-18545.pdf.* In removing the exclusion for ''mortgages with unacceptable terms and conditions'' from the Enterprises' housing goals regulation, FHFA noted that it ''has regulatory authority to directly prohibit purchases by the Enterprises of any types of mortgages it determines are unsuitable.'' *See* ''2015–2017 Enterprise Housing Goals,'' 80 FR 53392, 53427 (Sept. 3, 2015), *available at https://www.gpo.gov/fdsys/pkg/FR-2015-09-03/pdf/2015-20880.pdf.*

''non-metropolitan area.'' The proposed rule would also remove the definitions of ''Acquired Member Assets (AMA) program,'' ''AMA-approved mortgage,'' ''conforming mortgage,'' ''conventional mortgage,'' ''HMDA,'' ''HOEPA mortgage,'' ''HUD,'' ''mortgage data,'' ''mortgage with unacceptable terms or conditions,'' ''owner-occupied housing,'' ''residential mortgage,'' and ''second mortgage.''

1. Definition of ''AMA Mortgage''

The current Bank housing goals regulation defines ''AMA-approved mortgage'' as a mortgage that meets the requirements of an AMA program, with cross-references to the Acquired Member Assets regulation (12 CFR part 1268) and the New Business Activities regulation (12 CFR part 1272). The proposed rule would replace the term ''AMA-approved mortgage'' with ''AMA mortgage'' as a technical, non-substantive change. ''AMA mortgage'' is more consistent with typical usage for the AMA program. In addition, because the proposed rule would define the term ''AMA program'' by cross-referencing the Acquired Member Assets regulation, it is not necessary to include additional cross-references in the proposed definition of ''AMA mortgage.''

2. Definition of ''AMA program''

The current Bank housing goals regulation defines ''Acquired Member Assets (AMA) program'' as a program that authorizes a Bank to hold assets acquired from a member by a purchase or funding transaction subject to the requirements of parts 1268 (Acquired Member Assets) and 1272 (New Business Activities). At the time the current Bank housing goals regulation was adopted, the term ''AMA program'' was not a defined term in the Acquired Member Assets regulation. A definition for the term ''AMA program'' was added to the Acquired Member Assets regulation in 2016.[25] There is no substantive difference between the definition of ''Acquired Member Assets (AMA) program'' under the Bank housing goals regulation and the definition of ''AMA program'' under the Acquired Member Assets regulation. The proposed rule would replace the definition of ''Acquired Member Assets (AMA) program'' in the Bank housing goals regulation with a new definition of ''AMA program'' that would cross-reference the definition in the Acquired Member Assets regulation.

[25] 12 CFR 1268.1.

3. Definition of ''AMA user''

The proposed rule would add a new definition for the term ''AMA user,'' to mean any participating financial institution from which a Bank purchased at least one AMA mortgage during the year being measured.

The Acquired Member Assets regulation generally defines ''participating financial institution'' as a member or housing associate of a Bank that is authorized to sell, credit enhance, or service mortgage loans to or for a Bank through an AMA program. This definition includes all members that are authorized to sell mortgages through an AMA program, regardless of whether the member actually sells such a mortgage in any particular year. The proposed rule would define the term ''AMA user'' more narrowly than the definition of a participating financial institution. An ''AMA user'' would be defined as a participating financial institution from which the Bank purchased at least one AMA mortgage during the year being measured. The proposed new small member participation housing goal would be limited only to AMA users, *i.e.,* those participating financial institutions that sold at least one mortgage loan to the Bank in question in the year being measured.

4. Definition of ''CFI Asset Cap''

The proposed rule would add a new definition for the term ''CFI asset cap.'' The proposed rule would define the term ''CFI asset cap'' to have the same meaning as defined in the Bank membership regulation.[26] The term ''CFI asset cap'' is defined in the Bank membership regulation to mean $1 billion, as adjusted annually by FHFA based on changes in the Consumer Price Index.

The new small member participation housing goal would measure the percentage of AMA users for a Bank with assets that are below the CFI asset cap. The proposed rule would define the term ''CFI asset cap'' by cross-referencing the existing definition in the Bank membership regulation.

5. Definition of ''Community Financial Institution or CFI''

The proposed rule would add a new definition for the term ''community financial institution or CFI.'' The proposed rule would define the term ''community financial institution or CFI'' to have the same meaning as defined in the Bank membership regulation.[27] The term ''community financial institution or CFI'' is defined in the Bank membership regulation to mean an institution (1) the deposits of which are insured under the Federal Deposit Insurance Act (12 U.S.C. 1811 *et seq.*); and (2) the total assets of which, as of the date of a particular transaction, are less than the CFI asset cap, with total assets being calculated as an average of total assets over three years, with such average being based on the institution's regulatory financial reports filed with its appropriate regulator for the most recent calendar quarter and the immediately preceding 11 calendar quarters. The proposed rule would define the term ''community financial institution or CFI'' by cross-referencing the existing definition in the Bank membership regulation.

[26] *See* 12 CFR 1263.1.

[27] *Id.*

6. Definition of ''Conforming Mortgage''

The current Bank housing goals regulation defines ''conforming mortgage'' as a conventional, AMA-approved single-family mortgage with an original principal obligation that does not exceed the dollar limitation under the Acquired Member Assets regulation or under the Freddie Mac conforming loan limits. The Bank housing goals are already limited to purchases of mortgages under AMA programs, which include limits on the size of mortgages that can be purchased by a Bank. It is not necessary for the Bank housing goals to include a separate limit on the size of mortgages that may be counted for purposes of the Bank housing goals. The proposed rule would remove the definition of ''conforming mortgage'' from the Bank housing goals regulation as unnecessary.

7. Definition of ''Conventional Mortgage''

The current Bank housing goals regulation defines ''conventional mortgage'' as any mortgage that does not include a guaranty, insurance or other obligation by the United States or any of its agencies or instrumentalities. The definition of ''conventional mortgage'' is included in the Bank housing goals regulation because the Bank housing goals are currently limited to conventional mortgages. The proposed rule would expand the coverage of the Bank housing goals to include all AMA mortgages, including both conventional mortgages and non-conventional mortgages. Because the proposed rule would no longer limit the Bank housing goals to conventional mortgages, the proposed rule would remove the definition of ''conventional mortgage'' from the Bank housing goals regulation as unnecessary.

8. Definition of ''Dwelling Unit''

The current Bank housing goals regulation defines ''dwelling unit'' to mean a room or unified combination of rooms intended for use, in whole or in part, as a dwelling by one or more persons, and includes a dwelling unit in a single-family property, multifamily property, or other residential or mixed-use property. In its 2015 final rule amending the Enterprise housing goals regulation, FHFA revised the analogous definition in the Enterprise housing goals regulation to exclude a combination of rooms without plumbing or kitchen facilities.[28] The proposed rule would revise the definition of ''dwelling unit'' to align with the definition of ''dwelling unit'' provided in the Enterprise housing goals regulation.

9. Definition of ''Families in Low-income Areas''

The current Bank housing goals regulation defines ''families in low-income areas'' to mean (1) any family that resides in a census tract or block numbering area in which the median income does not exceed 80 percent of the area median income; (2) any family with an income that does not exceed area median income that resides in a minority census tract; and (3) any family with an income that does not exceed area median income that resides in a designated disaster area. In its 2015 final rule amending the Enterprise housing goals regulation, FHFA amended the analogous provision in the Enterprise housing goals regulation (12 CFR 1282.1) by removing the reference to ''block numbering areas'' to conform to the terminology used by the U.S. Census Bureau.[29] The proposed rule would amend the Bank housing goals regulation by making a conforming revision to the definition of ''families in low-income areas.''

10. Definition of ''HMDA''

The current Bank housing goals regulation defines ''HMDA'' as the Home Mortgage Disclosure Act of 1975, as amended. The definition of ''HMDA'' is included in the current Bank housing goals regulation because the Bank housing goals are currently evaluated based on a retrospective market measurement calculated using HMDA data. The proposed rule would remove the retrospective market measurement from the Bank housing goals and instead establish goal levels prospectively in the regulation. Because the proposed rule would no longer include a market calculation based on HMDA data, the proposed rule would remove the definition of ''HMDA'' from the Bank housing goals regulation as unnecessary.

11. Definition of ''HOEPA Mortgage''

The current Bank housing goals regulation defines ''HOEPA mortgage'' as a mortgage covered by the definition of ''high-cost mortgage'' under the Truth in Lending Act. The definition of ''HOEPA mortgage'' is included in the current Bank housing goals regulation because the Bank housing goals do not allow HOEPA mortgages to be counted toward achievement of the Bank housing goals. The proposed rule would remove the provision excluding HOEPA mortgages from counting for purposes of the Bank housing goals. Therefore, the proposed rule would remove the definition of ''HOEPA mortgages'' from the Bank housing goals regulation as unnecessary.

12. Definition of ''HUD,'' ''Median Income,'' ''Metropolitan Area,'' and ''Non-Metropolitan Area''

The current Bank housing goals regulation defines ''median income,'' with respect to an area, as the unadjusted median family income for the area as determined by HUD. The current definition further provides that FHFA will provide the Banks annually with information specifying how the median family income estimates for metropolitan areas are to be applied for the purposes of determining median family income. FHFA's practice is to calculate the applicable median income figures for both metropolitan and non-metropolitan areas and to provide the median income information to the Banks. The proposed rule would align the definition of ''median income'' with FHFA's practice, by revising it to mean, with respect to an area, the unadjusted median family income for the area as determined by FHFA. The proposed rule would also revise the definition to provide that FHFA will provide the Banks annually with information specifying how the median family income estimates for metropolitan and non-metropolitan areas are to be applied for purposes of determining median income.

The current Bank housing goals regulation defines ''metropolitan area'' as a metropolitan statistical area (MSA), or a portion of such an area, including Metropolitan Divisions, for which median family income estimates are determined by HUD. The regulation defines ''non-metropolitan area'' as a county, or a portion of a county, including those counties that comprise Micropolitan Statistical Areas, located outside any metropolitan area for which median family income estimates are published annually by HUD. The proposed rule would align the definition of ''metropolitan area'' with FHFA's practice by revising it to mean an MSA, or a portion of such an area, including Metropolitan Divisions, for which median incomes are determined by FHFA. The proposed rule would align the definition of ''non-metropolitan area'' with FHFA's practice by revising it to mean a county, or a portion of a county, including those counties that comprise Micropolitan Statistical Areas, located outside any metropolitan area, for which median incomes are determined by FHFA.

The current Bank housing goals regulation defines ''HUD'' as the United States Department of Housing and Urban Development. The term ''HUD'' is used only in the definitions of ''median income,'' ''metropolitan area,'' and ''non-metropolitan area'' in the current Bank housing goals regulation. The proposed rule would revise those definitions to remove each reference to ''HUD,'' and the proposed rule would therefore remove the definition of ''HUD'' from the Bank housing goals regulation as unnecessary.

13. Definition of ''Mortgage''

The current Bank housing goals regulation defines ''mortgage'' to include all loans secured by real estate and any interests in such mortgages. The current definition is based on the definition of ''mortgage'' in the Enterprise housing goals regulation and excludes chattel loans on manufactured housing. The proposed rule would revise the definition of ''mortgage'' in the Bank housing goals regulation to include chattel loans on manufactured housing. The AMA regulation allows the Banks to acquire chattel loans on manufactured housing. Adding such loans to the definition of ''mortgage'' in the Bank housing goals regulation would further align the coverage of the Bank housing goals with the AMA regulation and would make it easier for the Banks to assess their own housing goals performance during the year. Chattel mortgages on manufactured housing are a significant means by which lower-income households obtain housing, and are therefore appropriate to be included in the Bank housing goals calculation.

14. Definition of ''Mortgage With Unacceptable Terms or Conditions''

The current Bank housing goals regulation defines ''mortgage with unacceptable terms or conditions'' as a

[28] *See* 80 FR 53392 (Sept. 3, 2015), codified at 12 CFR 1282.1.

[29] *Id.* at 53423.

mortgage that has one or more of a series of terms or conditions that FHFA determined to be harmful to borrowers. The definition of ''mortgage with unacceptable terms or conditions'' is included in the current Bank housing goals regulation because the Bank housing goals do not allow mortgages with unacceptable terms or conditions to be counted toward achievement of the Bank housing goals. The proposed rule would remove the provision excluding mortgages with unacceptable terms or conditions from counting for purposes of the Bank housing goals. Therefore, the proposed rule would remove, as unnecessary, the definition of ''mortgage with unacceptable terms or conditions'' from the Bank housing goals regulation.

15. Definition of ''Owner-Occupied Housing''

The current Bank housing goals regulation defines ''owner-occupied housing'' as single-family housing in which a mortgagor resides, including two- to four-unit owner-occupied properties where one or more units are used for rental purposes. The definition of ''owner-occupied housing'' is included in the Bank housing goals regulation because the Bank housing goals are currently limited to mortgages on owner-occupied housing. The proposed rule would expand the coverage of the Bank housing goals to include all AMA mortgages, including mortgages on owner-occupied and investor-owned single-family properties. The proposed rule would not establish separate criteria for evaluating whether a mortgage on an investor-owned property could be counted for purposes of the housing goals. Any such mortgages would be evaluated based on the income of the mortgagor in the same manner as the evaluation of a mortgage on an owner-occupied property. Because the proposed rule would no longer limit the Bank housing goals to mortgages on owner-occupied housing, the proposed rule would remove the definition of ''owner-occupied housing'' from the Bank housing goals regulation as unnecessary.

16. Definition of ''Residential Mortgage''

The current Bank housing goals regulation defines ''residential mortgage'' as a mortgage on single-family housing. The term ''residential mortgage'' is not used anywhere else in the current Bank housing goals regulation, and the proposed rule would not include any use of the term either. The proposed rule would remove the definition of ''residential mortgage'' from the Bank housing goals regulation as unnecessary.

17. Definition of ''Second Mortgage''

The current Bank housing goals regulation defines ''second mortgage'' as any mortgage that has a lien position subordinate only to the lien of the first mortgage. This term is used in § 1281.13(b)(8), which provides that ''purchases of subordinate lien mortgages (second mortgages),'' do not count for purposes of housing goals credit. The proposed rule would clarify that this prohibition would apply to all mortgages that are subordinate to the first mortgages, not only second mortgages. Because ''second mortgage'' would no longer appear in the regulation, this definition is unnecessary and would be removed.

B. Changes to General—Proposed § 1281.10

The proposed rule would revise § 1281.10 to reflect the new housing goals that would be defined by the proposed rule.

The current regulation states that the subpart establishes three single-family housing goals for purchase money mortgages and one single-family housing goal for refinancing mortgages. The current regulation also states that the subpart establishes a volume threshold for the Bank housing goals.

The proposed rule would revise the structure of the Bank housing goals to remove the volume threshold and to replace the existing housing goals with a new prospective mortgage purchase housing goal and a new small member participation housing goal. The proposed rule would revise § 1281.10 to reflect these changes.

C. Changes to Bank Housing Goals—Proposed §§ 1281.11 and 1281.14

The proposed rule would revise § 1281.11 to define the new prospective mortgage purchase housing goal and small member participation housing goal, and would make conforming changes to § 1281.14.

The current regulation establishes three single-family housing goals for purchase money mortgages and one single-family housing goal for refinancing mortgages. The proposed rule would revise § 1281.11 in its entirety to replace the existing Bank housing goals with two new housing goals: a prospective mortgage purchase housing goal and a small member participation housing goal.

The current regulation establishes a volume threshold that a Bank must exceed before it is subject to the housing goals. The threshold is $2.5 billion in unpaid principal balance in a single year. The proposed rule would remove the volume threshold provision so that the new Bank housing goals would apply to each Bank regardless of the volume of AMA mortgages purchased by the Bank. The proposed rule would also make a conforming change to § 1281.14(a) by eliminating Bank volume thresholds as a consideration in determining whether the Director evaluates annual performance of Bank performance under each housing goal.

The current regulation establishes criteria for determining the target level for each goal based on HMDA data for the year being measured, *i.e.,* retrospectively. The proposed rule would define the prospective mortgage purchase housing goal as the percentage of a Bank's AMA mortgages acquired during the calendar year that are for very low-income families, low-income families, or families in low-income areas. The proposed rule would establish a target level of 20 percent for the prospective mortgage purchase housing goal. The proposed rule would also require that at least 75 percent of the mortgages that are counted toward a Bank's achievement of the prospective mortgage purchase housing goal must be for low-income or very low-income families.

The proposed rule would define the small member participation housing goal as the percentage of AMA users with assets that do not exceed the CFI asset cap. The proposed rule would establish the target level for the small member participation housing goal as the lesser of 50 percent or 300 basis points greater than the percentage of the Bank's AMA users with assets that do not exceed the CFI cap from the preceding year.

The proposed rule would also establish a process for a Bank to propose a different target level for the prospective mortgage purchase housing goal, the small member participation housing goal, or both. The proposed rule would require that this Bank-specific housing goal proposal be submitted to FHFA by October 31, 2019, and by October 31 every third year thereafter, or at some other appropriate time as may be determined by FHFA, for example if a Bank, in the middle of a three-year cycle, resumes purchasing AMA mortgages under a dormant AMA program. The proposed rule would require that a Bank-specific housing goal proposal include proposed targets for each of the three years following the year in which the Bank's proposal is submitted, and that the proposal include a detailed explanation of (i) why the corresponding housing goal

provided in the regulation is infeasible, (ii) why the proposed goal is achievable, and (iii) how the proposed goal meaningfully furthers affordable housing mortgage lending in the Bank's district.

D. Changes to General Counting Eequirements—Proposed § 1281.12

The current Bank housing goals regulation defines the ''numerator'' and ''denominator'' used to calculate performance under the current housing goals. The new housing goals are clearly defined in the proposed rule. The proposed rule would delete paragraph (a) as unnecessary in light of the mortgage goal calculation standards reflected in proposed § 1281.11. The current Bank housing goals regulation also provides that mortgages with missing data or information necessary for counting would be included in the denominator when calculating a Bank's performance, but not in the numerator. This effectively penalizes a Bank's performance by treating mortgages with missing data or information as if they were loans that did not meet the applicable criteria. The proposed rule would remove paragraph (b)(1), so that mortgages with missing data or information would be disregarded for purposes of measuring a Bank's performance on the housing goals. Finally, paragraph (c), which provides that a mortgage may only count once towards achievement of a current housing goal even if it satisfies more than one goal, would be redesignated as paragraph (b) and revised to permit each mortgage to be counted only once toward achievement of the prospective mortgage purchase housing goal, even if it satisfies multiple criteria. The changes to this paragraph would be consistent with the revised structure of the prospective mortgage purchase housing goal established in proposed § 1281.11. The proposed rule would make conforming redesignations of paragraphs throughout the remainder of § 1281.12.

E. Changes to Special Counting Requirements—Proposed § 1281.13

Paragraph (b) of § 1281.13 currently enumerates categories of transactions or activities that are not counted for purposes of the housing goals and are not included in the numerator or the denominator in calculating a Bank's housing goals performance. The proposed rule would amend this paragraph by removing the references to ''numerator'' and ''denominator.'' This language would be unnecessary in light of the simplified calculation methodology provided in proposed § 1281.11.

Paragraph (b)(1) currently excludes non-conventional single family mortgages from counting towards housing goals credit. The proposed rule would allow loans guaranteed or insured by a department or agency of the U.S. government to count towards housing goals credit for the prospective mortgage purchase housing goal. Paragraph (b)(1) would be revised to codify FHFA's current treatment of mortgage participation interests. The proposed rule would exclude participation interests in AMA mortgages that are purchased from another Bank, except where two or more Banks acquire a participation interest in the same mortgage simultaneously. The proposed rule would add new paragraph (e) to clarify that where two or more Banks acquire a participation interest in the same mortgage simultaneously, the mortgage would be counted on a *pro rata* basis for each Bank.

Paragraph (b)(8) would be revised to clarify that all mortgages which are subordinate to the first mortgage are excluded from counting for purposes of the Bank housing goals.

F. Changes to Determination of Compliance With Housing Goals; Notice of Determination—Proposed § 1281.14

The proposed rule would amend § 1281.14(a) by removing the reference to the volume threshold, which would be moot in light of the threshold's elimination under proposed § 1281.11. The proposed rule would also amend § 1281.14(a) to require that FHFA publish the annual determination of compliance. The proposed rule would describe the data that would be included in the published determination.

G. Changes to Housing Plans—Proposed § 1281.15

The proposed rule would revise § 1281.15 to provide that the Director may only require that a Bank submit a housing plan for any year after 2021. This would reflect the phase-in period for the new housing goals, eliminating possibility of a housing plan during the first two years in which the proposed prospective and small member participation housing goals are operative. Because a Bank may be required to submit a housing plan while awaiting FHFA's response to a Bank-specific housing goal proposal, the proposed rule would amend § 1281.15 by adding new paragraph (b)(5) to require that the housing plan address any Bank-specific housing goals the Bank is proposing.

H. Changes to Reporting Requirements—Proposed §§ 1281.1 and 1281.20.

The proposed rule would revise Subpart C to simplify and clarify the reporting requirements for the Banks under the new housing goals.

The current Bank housing goals regulation sets out a number of specific reporting requirements for the Banks. Section 1281.20 of the current regulation describes the matters that are covered by Subpart C, ''Reporting Requirements.'' Section 1281.21 of the current regulation describes the reporting requirements including the required timing and format of the data to be submitted. Section 1281.22 of the current regulation permits FHFA to require additional reports, information, and data as it determines appropriate. Finally, § 1281.23 of the current regulation requires a senior officer of each Bank to certify the data submitted under the Bank housing goals regulation and allows FHFA to address errors, omissions or discrepancies in data reported by a Bank by adjusting the Bank's official housing goals performance figures and in certain circumstances increasing a Bank's housing goal in a later year.

The proposed rule would revise the reporting requirements in Subpart C to reflect the new housing goals structure and to eliminate provisions that are either duplicative of or potentially inconsistent with the existing Bank reporting requirements under FHFA's Data Reporting Manual (DRM). The DRM is issued by FHFA containing reporting requirements for the Banks and is amended from time to time. The DRM includes detailed requirements about the data elements that the Banks must report and the timing and format of the required reporting. The proposed rule would remove reporting requirements from the Bank housing goals regulation that are duplicative of and potentially inconsistent with the DRM.

The proposed rule would consolidate the four sections that currently exist in Subpart C of the Bank housing goals regulation into a single section. Sections 1281.21, 1281.22 and 1281.23 would be removed from the regulation. Section 1281.20 would include the new reporting requirements for the Bank housing goals regulation. As revised, § 1281.20(a) would require the Banks to submit to FHFA any data that FHFA determines to be necessary to evaluate transactions and activities under the Bank housing goals. Section 1281.20(b)

and (c) would set out the data reporting requirements for the prospective mortgage purchase housing goal and the small member participation housing goal, respectively, and would require such submissions to be made in accordance with the DRM. Section 1281.20(d) would continue to permit FHFA to require a Bank to provide such additional reports, information, and data as FHFA may request from time to time.

In addition to the above clarifications of the existing Bank reporting requirements, the proposed rule would also remove the provision in the current Bank housing goals regulation that addresses errors, omissions or discrepancies in the data reported by a Bank. This provision is unnecessary in light of FHFA's existing supervisory and regulatory authorities and procedures, and the proposed rule would remove the provision.

Finally, the proposed rule would remove the definition of ''mortgage data'' from § 1281.1. The current Bank housing goals regulation defines ''mortgage data'' as data obtained from the Banks under the Data Reporting Manual. The revisions to the reporting requirements in Subpart C would remove all references to the term ''mortgage data.'' The proposed rule would therefore remove the definition of ''mortgage data'' from the Bank housing goals regulation as unnecessary.

X. Considerations of Differences Between the Banks and the Enterprises

When promulgating regulations relating to the Banks, section 1313(f) of the Safety and Soundness Act requires the Director of FHFA to consider the differences between the Banks and the Enterprises with respect to the Banks' cooperative ownership structure; mission of providing liquidity to members; affordable housing and community development mission; capital structure; and joint and several liability. FHFA, in preparing this proposed rule, considered the differences between the Banks and the Enterprises as they relate to the above factors. FHFA also considered these differences in light of section 10C of the Bank Act, which requires that the Bank housing goals be consistent with the Enterprise housing goals, with consideration of the unique mission and ownership structure of the Banks.[30] FHFA requests comments from the public about whether these differences should result in any revisions to the proposed rule.

[30] *See* 12 U.S.C. 1430c.

XI. Paperwork Reduction Act

The proposed rule would not contain any information collection requirement that would require the approval of OMB under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Therefore, FHFA has not submitted any information to OMB for review.

XII. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires that a regulation that has a significant economic impact on a substantial number of small entities, small businesses, or small organizations must include an initial regulatory flexibility analysis describing the regulation's impact on small entities. Such an analysis need not be undertaken if the agency has certified that the regulation will not have a significant economic impact on a substantial number of small entities. (5 U.S.C. 605(b)). FHFA has considered the impact of the proposed rule under the Regulatory Flexibility Act. The General Counsel of FHFA certifies that the proposed rule, if adopted as a final rule, is not likely to have a significant economic impact on a substantial number of small entities because the regulation applies to the Federal Home Loan Banks, which are not small entities for purposes of the Regulatory Flexibility Act.

List of Subjects in 12 CFR Part 1281

Credit, Federal home loan banks, Housing, Mortgages, Reporting and recordkeeping requirements.

Authority and Issuance

For the reasons stated in the **SUPPLEMENTARY INFORMATION**, under the authority of 12 U.S.C. 4526, FHFA proposes to amend part 1281 of Title 12 of the Code of Federal Regulations as follows:

CHAPTER XII—FEDERAL HOUSING FINANCE AGENCY

SUBCHAPTER E—HOUSING GOALS AND MISSION

PART 1281—FEDERAL HOME LOAN BANK HOUSING GOALS

■ 1. Revise the authority citation for part 1281 to read as follows:

Authority: 12 U.S.C. 1430, 1430b, 1430c, 1431.

■ 2. Amend § 1281.1 by:
■ a. Removing the definitions of ''Acquired Member Assets (AMA) program'' and ''AMA-approved mortgage'';
■ b. Adding definitions for ''AMA mortgage'', ''AMA program'', and ''AMA user'' in alphabetical order;
■ c. Removing the definitions of ''Conforming mortgage'' and ''Conventional mortgage'';
■ d. Adding definitions for ''CFI asset cap'' and ''Community financial institution or CFI'' in alphabetical order;
■ e. Revising the definition of ''Dwelling unit'' and paragraph (1) of the definition of ''Families in low-income areas'';
■ f. Removing the definitions of ''HMDA'', ''HOEPA mortgage'', and ''HUD'';
■ g. Revising the definitions of ''Median income'', ''Metropolitan area'', and ''Mortgage'';
■ h. Removing the definitions of ''Mortgage data'' and ''Mortgage with unacceptable terms or conditions'';
■ i. Revising the definition of ''Non-metropolitan area''; and
■ j. Removing the definitions of ''Owner-occupied housing'', ''Residential mortgage'', and ''Second mortgage''.

The revisions and additions read as follows:

§ 1281.1 Definitions.

* * * * *

AMA mortgage means a mortgage that was purchased by a Bank under an AMA program.

AMA program has the meaning set forth in § 1268.1 of this chapter.

AMA user means any participating financial institution, as defined in § 1268.1 of this chapter, from which the Bank purchased at least one AMA mortgage during the year for which the housing goals are being measured.

* * * * *

CFI asset cap has the meaning set forth in § 1263.1 of this chapter.

Community financial institution or *CFI* has the meaning set forth in § 1263.1 of this chapter.

* * * * *

Dwelling unit means a room or unified combination of rooms with plumbing and kitchen facilities intended for use, in whole or in part, as a dwelling by one or more persons, and includes a dwelling unit in a single-family property, multifamily property, or other residential or mixed-use property.

Families in low-income areas * * *

(1) Any family that resides in a census tract in which the median income does not exceed 80 percent of the area median income;

* * * * *

Median income means, with respect to an area, the unadjusted median family income for the area as determined by FHFA. FHFA will provide the Banks annually with information specifying how the median family income estimates for

metropolitan and non-metropolitan areas are to be applied for purposes of determining median income.

Metropolitan area means a metropolitan statistical area (MSA), or a portion of such an area, including Metropolitan Divisions, for which median incomes are determined by FHFA.

* * * * *

Mortgage means a member of such classes of liens, including subordinate liens, as are commonly given or are legally effective to secure advances on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, or a manufactured home that is personal property under the laws of the State in which the manufactured home is located, together with the credit instruments, if any, secured thereby, and includes interests in mortgages. *Mortgage* includes a mortgage, lien, including a subordinate lien, or other security interest on the stock or membership certificate issued to a tenant-stockholder or resident-member by a cooperative housing corporation, as defined in section 216 of the Internal Revenue Code of 1986, and on the proprietary lease, occupancy agreement, or right of tenancy in the dwelling unit of the tenant-stockholder or resident-member in such cooperative housing corporation.

* * * * *

Non-metropolitan area means a county, or a portion of a county, including those counties that comprise Micropolitan Statistical Areas, located outside any metropolitan area, for which median incomes are determined by FHFA.

* * * * *

■ 3. Amend § 1281.10 by revising paragraphs (a) and (b) to read as follows:

§ 1281.10 General.

* * * * *

(a) A prospective mortgage purchase housing goal;

(b) A small member participation housing goal;

* * * * *

■ 4. Revise § 1281.11 to read as follows:

§ 1281.11 Bank housing goals.

(a) *Prospective mortgage purchase housing goal.* For each calendar year, the percentage of a Bank's AMA mortgages acquired during the calendar year that are for very low-income families, low-income families, or families in low-income areas must meet or exceed either:

(1) 20 percent; or

(2) A percentage target approved under paragraph (d) of this section.

(b) *Cap on low-income areas loans counted toward goal.* At least 75 percent of the mortgages that are counted toward a Bank's achievement of the prospective mortgage purchase housing goal must be for low-income or very low-income families.

(c) *Small member participation housing goal.* For each calendar year, the percentage of all AMA users that are AMA users with assets that do not exceed the CFI asset cap must meet or exceed either:

(1) 50 percent;

(2) A percentage that is three percentage points greater than the percentage of the Bank's AMA users with assets that do not exceed the CFI cap from the preceding year; or

(3) A percentage target approved under paragraph (d) of this section.

(d) *Bank-specific housing goals.* (1) A Bank may submit a written request for FHFA approval of different target percentages for the prospective mortgage purchase housing goal, the small member participation housing goal, or both. A Bank request under this paragraph must include proposed target percentages for three consecutive years following the calendar year in which the proposal is submitted. A Bank is not required to propose the same target percentage for each of the three years.

(2) A Bank's request under this paragraph must include a detailed explanation of:

(i) Why the goal in paragraphs (a) and (b) of this section, as applicable, is infeasible;

(ii) Why the Bank's proposed goal is achievable; and

(iii) How the Bank's proposed goal meaningfully furthers affordable housing mortgage lending in its district.

(3) A proposal under this paragraph may only be submitted once every three years, or under the circumstances described in paragraph (d)(4) of this section. The deadline for submitting a proposal under this section is October 31, 2019, and October 31 for every third year after 2019. FHFA will review each Bank proposal that is received by the deadline and will notify the Bank in writing if the Bank proposal is approved. If FHFA does not notify a Bank that its proposal is approved, the Bank will remain subject to the percentage goals in paragraphs (a) and (b) of this section, as applicable.

(4) FHFA may require a Bank to propose a target percentage for either or both housing goals to address discontinuation of an AMA program or approval of a new AMA program.

■ 5. Revise § 1281.12 to read as follows:

§ 1281.12 General counting requirements.

(a) *General.* Mortgage purchases financing single-family properties shall be evaluated based on the income of the mortgagors and the area median income at the time the mortgage was originated. To determine whether mortgages may be counted under a particular family income level (*i.e.,* low- or very low-income), the income of the mortgagor is compared to the median income for the area at the time the mortgage was originated, using the appropriate percentage factor provided under § 1281.1.

(b) *No double-counting.* A mortgage may be counted only once toward the achievement of the prospective mortgage purchase housing goal, even if it satisfies multiple criteria for the prospective mortgage purchase housing goal.

(c) *Application of median income.* For purposes of determining an area's median income under § 1281.1, the area is:

(1) The metropolitan area, if the residence that secures the mortgage is in a metropolitan area; and

(2) In all other areas, the county in which the property is located, except that where the State non-metropolitan median income is higher than the county's median income, the area is the State non-metropolitan area.

(d) *Sampling not permitted.* Performance under the housing goals for each year shall be based on a tabulation of each mortgage during that year; a sampling of such purchases is not acceptable.

■ 6. Amend § 1281.13 by:

■ a. Revising the introductory text of paragraph (b);

■ b. Revising paragraphs (b)(1) and (b)(8);

■ c. Removing paragraph (d);

■ d. Redesignating paragraph (e) as paragraph (d); and

■ e. Adding new paragraph (e).

The revisions and additions read as follows:

§ 1281.13 Special counting requirements.

* * * * *

(b) *Not counted.* The following transactions or activities shall not be counted for purposes of the housing goals, even if the transaction or activity would otherwise be counted under paragraph (c) of this section:

(1) Purchases of participation interests in AMA mortgages from another Bank, except as provided in paragraph (e) of this section;

* * * * *

(8) Purchases of subordinate lien mortgages;

* * * * *

(e) *Mortgage participation transactions.* Where two or more Banks acquire a participation interest in the same mortgage simultaneously, the mortgage will be counted on a *pro rata* basis for the prospective mortgage purchase housing goal for each Bank with a participation interest.

■ 7. Amend § 1281.14 by revising paragraph (a) to read as follows:

§ 1281.14 Determination of compliance with housing goals; notice of determination.

(a) *Determination of compliance with housing goals.* On an annual basis, the Director shall determine each Bank's performance under each housing goal and will publish the final determinations. FHFA will publish its final determination including the numbers and percentages for each Bank's AMA purchases that meet each of the housing goals criteria, including loans to low-income families, loans to very low-income families, and loans to families in low-income areas, including by each of the defined categories. FHFA's determination will include these numbers in total and separated into purchase money mortgages, refinancing mortgages, conventional mortgages, and non-conventional mortgages.

* * * * *

■ 8. Amend § 1281.15 by revising paragraphs (a) and (b) to read as follows:

§ 1281.15 Housing plans.

(a) *Housing plan requirement.* For any year after 2021, if the Director determines that a Bank has failed to meet any housing goal and that the achievement of the housing goal was feasible, the Director may require the Bank to submit a housing plan for approval by the Director.

(b) *Nature of plan.* If the Director requires a housing plan, the housing plan shall:

(1) Be feasible;

(2) Be sufficiently specific to enable the Director to monitor compliance periodically;

(3) Describe the specific actions that the Bank will take to achieve the housing goal for the next calendar year;

(4) Address any additional matters relevant to the housing plan as required, in writing, by the Director; and

(5) Address any Bank-specific housing goals the Bank is proposing.

* * * * *

■ 9. Revise Subpart C to read as follows:

Subpart C—Reporting Requirements

§ 1281.20 Reporting requirements.

(a) *General.* Each Bank must collect and submit to FHFA any data that FHFA determines to be necessary for FHFA to evaluate transactions and activities under the Bank housing goals.

(b) *Reporting for prospective mortgage purchase housing goal.* Each Bank must collect data on each AMA mortgage purchased by the Bank. The data must include any data elements specified by FHFA. On no less frequent than an annual basis, each Bank must submit such data to FHFA in accordance with the DRM.

(c) *Reporting for small member participation housing goal.* Each Bank must collect data on AMA user asset size. On no less frequent than an annual basis, each Bank must submit such data to FHFA in accordance with the DRM.

(d) *Other reporting.* Each Bank must provide to FHFA such additional reports, information and data as FHFA may request from time to time.

Dated: October 29, 2018.

Melvin L. Watt,

Director, Federal Housing Finance Agency.

[FR Doc. 2018–23890 Filed 11–1–18; 8:45 am]

BILLING CODE 8070–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 93

[Docket No.: FAA–2018–0954]

Request for Comments on Requirement for Helicopters To Use the New York North Shore Helicopter Route

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

ACTION: Request for comments.

SUMMARY: The FAA Reauthorization Act of 2018 directs the FAA to provide notice of, and an opportunity for, at least 60 days of public comment with respect to the regulations mandating that pilots operating civil helicopters under Visual Flight Rules use the New York North Shore Helicopter Route when operating along that area of Long Island, New York. The Act further states the FAA shall hold a public hearing in order to solicit feedback on the regulations from impacted communities. Such an opportunity will be provided and additional meeting information will be announced.

DATES: Written comments must be received on or before January 2, 2019.

ADDRESSES: Send comments identified by docket number FAA–2018–0954 using any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30; U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.
- *Facsimile:* Fax comments to Docket Operations at (202) 493–2251.

Privacy: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to *www.regulations.gov,* as described in the system of records notice (DOT/ALL–14 FDMS), which can be reviewed at *www.dot.gov/privacy.*

Docket: Background documents or comments received may be read at *http://www.regulations.gov* at any time. Follow the online instructions for accessing the docket or go to the Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: For questions concerning this action, contact Sheri Edgett-Baron, Airspace Policy Group, Air Traffic Organization, AJV–11, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–8783; email: *sheri.edgett-baron@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

In response to concerns from a large number of local residents regarding noise from helicopters operating over Long Island, the FAA issued the New York North Shore Helicopter Route final rule (77 FR 39911, July 6, 2012). The Rule, as set forth in subpart H of part 93 of Title 14 of the Code of Federal Regulations, requires civil helicopter pilots operating under Visual Flight Rules (VFR), whose route of flight takes them over the north shore of Long Island between the Visual Point Lloyd Harbor (VPLYD) waypoint and Orient Point (VPOLT), to use the North Shore Helicopter Route, as published in the New York Helicopter Chart (''the

Chart''). The Rule was promulgated to maximize use of the route, as published per the Chart, to secure and improve upon decreased levels of noise that had been voluntarily achieved.[1] Under the Rule, pilots are permitted to deviate from the route and altitude requirements when necessary for safety, weather conditions, or transitioning to or from a destination or point of landing.

The Rule originally had a two-year duration and was set to terminate on August 6, 2014. The FAA limited the duration of the Rule because, at the time of promulgation, the FAA did not have data on the current rate of compliance with the voluntary route nor the circumstances surrounding an operator's decision not to use the route. The FAA concluded there would be no reason to retain the Rule if the FAA determined helicopter noise along the North Shore of Long Island did not improve. Accordingly, the Agency decided that the Rule would expire in two years, if it was determined there is no meaningful improvement in the effects of helicopter noise on quality of life or that the Rule was otherwise unjustified. Specifically, the FAA stated that should there be such an improvement, the FAA may, after appropriate notice and opportunity for comment, decide to make the Rule permanent. Likewise, should the FAA determine that reasonable modification could be made to the route to better address noise concerns (and any other relevant concerns), the FAA may choose to modify the Rule after notice and comment.

On June 23, 2014, the FAA issued a two-year extension of the Rule's termination date (79 FR 35488), and on July 25, 2016 the FAA issued a four-year extension of the Rule's termination date (81 FR 48323). The Rule is scheduled to expire on August 6, 2020.

As explained in the Rule, helicopters are generally limited in the distance they can prudently operate from shore without being equipped for overwater operations because they are not able to glide for any significant distance in the event of a total loss of power.

At the time of the original rulemaking, the FAA estimated that two-thirds of commercial helicopters operating along the north shore were equipped with multiple engines. This equipage allowed for a route to be established a little farther off shore than what would be prudent in an area where single-engine helicopters are predominantly operated; however, there are still significant safety implications with pushing all helicopter traffic farther over the water. Allowing helicopters to operate within sight of the coastline provides pilots with multiple visual waypoints by which to safely navigate along the north shore. The route was designed to avoid the potential safety implications associated with helicopters flying in VFR conditions off the coastline and the interaction with other traffic at or above the route's specified altitude.

The FAA is inviting comments that may assist the agency in assessing and understanding the impacts of the Rule and any potential implications of modifying the Rule. In particular, we invite responses to the following questions:

1. Did implementation of the Rule result in more or less helicopter noise in your community compared to levels you experienced prior to implementation of the Rule?
2. How and when do helicopter operators deviate from the Rule?
3. Are there alternative or supplemental routes that you believe will reduce the noise impacts without jeopardizing the safe operation of aircraft?
4. Should the Rule be extended, modified, or allowed to expire in 2020?

Issued under authority provided by Public Law 115–254, 49 U.S.C. 106(f), 44701(a), and 44703 in Washington, DC, on October 29, 2018.

Daniel K. Elwell,

Acting Administrator.

[FR Doc. 2018–24051 Filed 11–1–18; 8:45 am]

BILLING CODE 4910–13–P

[1] The rule is based on a voluntary VFR route that was developed by the FAA working with the Eastern Region Helicopter Council. The voluntary route originally was added to the Chart on May 8, 2008.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 93

RIN 2120–AK39

Notification of Public Meetings on Requirement for Helicopters To Use the New York North Shore Helicopter Route

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notification of public meetings.

SUMMARY: The FAA announces three public meetings to solicit feedback concerning the New York North Shore Helicopter Rule (''the Rule''). These meetings are being held pursuant to Section 182 of the FAA Reauthorization Act of 2018. The Rule requires civil helicopter pilots operating under Visual Flight Rules (VFR), whose route of flight takes them over the north shore of Long Island between the Visual Point Lloyd Harbor (VPLYD) waypoint and Orient Point (VPOLT), to use the North Shore Helicopter Route.

DATES: The public meetings will be held on November 13, November 14, and November 15, 2018.

ADDRESSES: The public meetings will be held at the following sites:

November 13, 2018, 7–9 p.m.—Cradle of Aviation Museum, Charles Lindbergh Blvd., Garden City, NY 11530.

November 14, 2018, 7–9 p.m.—Riverhead Middle School, 600 Harrison Avenue, Riverhead, NY 11901.

November 15, 2018, 7–9 p.m.—Vaughn College, 8601 23rd Ave, Flushing, NY 11369.

FOR FURTHER INFORMATION CONTACT: Christopher Bailey, Office of Rulemaking, Federal Aviation Administration; telephone (202) 267–4158; email *Christopher.bailey@faa.gov.*

SUPPLEMENTARY INFORMATION:

Purpose of the Public Meetings

The purpose of the public meetings is for the FAA to obtain feedback relevant to the Rule at subpart H of part 93, which requires civil helicopter pilots operating under VFR, whose route of flight takes them over the north shore of Long Island between the VPLYD waypoint and VPOLT, to use the North Shore Helicopter Route. The FAA will consider comments made at the public meetings in its review of the Rule.

Public Participation and Meeting Procedures

The meetings will use a workshop format. FAA will have several stations covering a number of relevant aspects of the Rule. Each station will be staffed by a representative of the FAA who is able to answer questions regarding that subject. There will also be a station where the public can submit a written statement or have their oral comment transcribed. No formal presentations will be made.

Section 182 of the FAA Reauthorization Act of 2018 also calls for a written comment period on the North Shore Helicopter Rule. See the document published elsewhere in this issue of the **Federal Register**, titled Request for Comments on Requirement for Helicopters to Use the New York North Shore Helicopter Route, under docket number FAA–2018–0954, for information regarding submitting written comments on the Rule to the **Federal Register**.

Sign and oral interpretation can be made available at the meeting, as well

as an assistive listening device, if requested 10 calendar days before the meeting. The meetings will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate.

Issued in Washington, DC, on October 30, 2018.

Brandon Roberts,

Deputy Executive Director, Office of Rulemaking.

[FR Doc. 2018–24129 Filed 11–1–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

42 CFR Part 10

RIN 0906–AB19

340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties Regulation

AGENCY: Health Resources and Services Administration, HHS.

ACTION: Notice of proposed rulemaking; effective date change.

SUMMARY: The Health Resources and Services Administration (HRSA) administers section 340B of the Public Health Service Act (PHSA), which is referred to as the ''340B Drug Pricing Program'' or the ''340B Program.'' HRSA published a final rule on January 5, 2017, that set forth the calculation of the 340B ceiling price and application of civil monetary penalties.

On June 5, 2018, HRSA published a final rule that delayed the effective date of the 340B ceiling price and civil monetary rule until July 1, 2019, to allow a more deliberate process of considering alternative and supplemental regulatory provisions and to allow for sufficient time for additional rulemaking. After further consideration of the issue, the Department of Health and Human Services (HHS or Department) proposes to cease any further delay of the rule and change the effective date from July 1, 2019, to January 1, 2019.

DATES: Submit comments on or before November 23, 2018

ADDRESSES: You may submit comments, identified by the Regulatory Information Number (RIN) 0906–AB19, by any of the following methods. Please submit your comments in only one of these ways to minimize the receipt of duplicate submissions. The first is the preferred method.

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow instructions for submitting comments. This is the preferred method for the submission of comments.
- *Email: 340BCMPNPRM@hrsa.gov.* Include 0906–AB19 in the subject line of the message.
- *Mail:* Office of Pharmacy Affairs (OPA), Healthcare Systems Bureau (HSB), Health Resources and Services Administration (HRSA), 5600 Fishers Lane, Mail Stop 08W05A, Rockville, MD 20857.

All submitted comments will be available to the public in their entirety. Please do not submit commercial confidential information or personal identifying information that you do not want in the public domain.

FOR FURTHER INFORMATION CONTACT: CAPT Krista Pedley, Director, OPA, HSB, HRSA, 5600 Fishers Lane, Mail Stop 08W05A, Rockville, MD 20857, or by telephone at 301–594–4353.

SUPPLEMENTARY INFORMATION:

I. Background

HHS published a notice of proposed rulemaking (NPRM) in June 2015 to implement civil monetary penalties (CMPs) for manufacturers who knowingly and intentionally charge a covered entity more than the ceiling price for a covered outpatient drug; to provide clarity regarding the requirement that manufacturers calculate the 340B ceiling price on a quarterly basis and how the ceiling price is to be calculated; and to establish the requirement that a manufacturer charge a $.01 (penny pricing policy) for drugs when the ceiling price calculation equals zero (80 FR 34583, (June 17, 2015)). The public comment period closed on August 17, 2015, and HRSA received 35 comments. After review of the initial comments, HHS reopened the comment period (81 FR 22960, (April 19, 2016)) to invite additional comments on the following areas of the NPRM: 340B ceiling price calculations that result in a ceiling price that equals zero (penny pricing); the methodology that manufacturers use when estimating the ceiling price for a new covered outpatient drug; and the definition of the ''knowing and intentional'' standard to be applied when assessing a CMP for manufacturers that overcharge a covered entity. The comment period closed May 19, 2016, and HHS received 72 comments.

On January 5, 2017, HHS published a final rule in the **Federal Register** (82 FR 1210, (January 5, 2017)). Comments from both the NPRM and the reopening notice were considered in the development of the final rule. The provisions of that rule were to be effective March 6, 2017; however, through a series of rules, HHS delayed the effective date of the January 5, 2017 final rule until July 1, 2019 (83 FR 25943, June 5, 2018).

II. Proposal To Change the Effective Date of the Final Rule From July 1, 2019, to January 1, 2019

HHS proposes to cease any further delay of the January 5, 2017 final rule and to change the effective date from July 1, 2019, to January 1, 2019. As the effective date will be the first day of the quarter, the implementation date and the effective date will be the same. In its most recent rulemaking delaying the effective date of the January 5, 2017 final rule, HHS stated that it ''is developing new comprehensive policies to address the rising costs of prescription drugs. These policies will address drug pricing in government programs, such as Medicare Parts B & D, Medicaid, and the 340B Program. Due to the development of these comprehensive policies, we are delaying the effective date for the January 5, 2017, final rule to July 1, 2019.'' (83 FR 25944)

The Department has determined that the finalization of the 340B ceiling price and civil monetary penalty rule will not interfere with the Department's development of these comprehensive policies. Accordingly, the Department no longer believes a delay in the effective date is necessary and is proposing to change the effective date of the rule from July 1, 2019, to January 1, 2019.

The provisions included in the January 5, 2017 final rule were subject to extensive public comment, and have been delayed several times. As such, HHS believes that it has considered the full range of comments on the substantive issues in the January 5, 2017 final rule.

HHS believes that finalization of this proposed change to the effective date of the January 5, 2017 final rule would satisfy its obligation to implement the statutory provisions enacted by Congress in 2010 to create civil monetary penalties.

HHS seeks public comments specifically regarding the impact of ceasing any further delay of the January 5, 2017 final rule, including any potential disruptions to implementation, and changing the effective date from July 1, 2019, to January 1, 2019.

HHS encourages all stakeholders to provide comment on this proposed rule. A comment period of 21 days is sufficient to provide affected parties the opportunity to provide their views as this rule is uncomplicated and simply

proposes to change an effective date. Moreover, affected parties have had multiple opportunities to provide comments on the appropriate effective date of the January 5, 2017 final.

III. Regulatory Impact Analysis

HHS has examined the effects of this proposed rule as required by Executive Order 12866 on Regulatory Planning and Review (September 30, 1993), Executive Order 13563 on Improving Regulation and Regulatory Review (January 8, 2011), the Regulatory Flexibility Act (September 19, 1980, Pub. L. 96–354), the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), and Executive Order 13132 on Federalism (August 4, 1999).

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 is supplemental to and reaffirms the principles, structures, and definitions governing regulatory review as established in Executive Order 12866, emphasizing the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

Section 3(f) of Executive Order 12866 defines a ''significant regulatory action'' as an action that is likely to result in a rule: (1) Having an annual effect on the economy of $100 million or more in any 1 year, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or state, local, or tribal governments or communities (also referred to as ''economically significant''); (2) creating a serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order. A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects ($100 million or more in any 1 year), and a ''significant'' regulatory action is subject to review by the Office of Management and Budget (OMB).

HHS does not believe that the proposal to change the effective date of the January 5, 2017 final rule from July 1, 2019, to January 1, 2019, will have an economic impact of $100 million or more in any 1 year, and is therefore not designated as an ''economically significant'' proposed rule under section 3(f)(1) of Executive Order 12866. The 340B Program as a whole creates significant savings for entities purchasing drugs through the program, with total purchases estimated to be $19 billion in CY 2017. This proposed rule to implement the January 5, 2017 proposed rule would codify current policy, some of which have been modified regarding calculation of the 340B ceiling price and manufacturer civil monetary penalties. HHS does not anticipate that the imposition of civil monetary penalties would result in significant economic impact.

When the 2017 Rule was finalized, it was described as not economically significant. Therefore, changing the effective date of the 2017 Rule is also not likely to have an economically significant impact.

Specifically, the RIA for the 2017 Rule stated that, ''[. . .] manufacturers are required to ensure they do not overcharge covered entities, and a civil monetary penalty could result from overcharging if it met the standards in this final rule. HHS envisions using these penalties in rare situations. Since the Program's inception, issues related to overcharges have been resolved between a manufacturer and a covered entity and any issues have generally been due to technical errors in the calculation. For the penalties to be used as defined in the statute and in this [2017] rule, the manufacturer overcharge would have to be the result of a knowing and intentional act. Based on anecdotal information received from covered entities, HHS anticipates that this would occur very rarely if at all.'' Since the civil penalties envisioned in the 2017 Rule were expected to be rare, changing the effective date of these civil penalties is unlikely to have an economically significant impact.

Executive Order 13771 (January 30, 2017) requires that the costs associated with significant new regulations ''to the extent permitted by law, be offset by the elimination of existing costs associated with at least two prior regulations.'' This rule is not subject to the requirements of Executive Order 13771 because this rule results in no more than *de minimis* costs.

HHS is seeking specific comments on the potential financial and other impact on covered entities and manufacturers if the final rule were effective on January 1, 2019.

The Regulatory Flexibility Act (RFA)

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) (RFA) and the Small Business Regulatory Enforcement and Fairness Act of 1996, which amended the RFA, require HHS to analyze options for regulatory relief of small businesses. If a rule has a significant economic effect on a substantial number of small entities, the Secretary must specifically consider the economic effect of the rule on small entities and analyze regulatory options that could lessen the impact of the rule. HHS will use an RFA threshold of at least a three percent impact on at least five percent of small entities.

The proposed rule would affect drug manufacturers (North American Industry Classification System code 325412: Pharmaceutical Preparation Manufacturing). The small business size standard for drug manufacturers is 750 employees. Approximately 600 drug manufacturers participate in the Program. While it is possible to estimate the impact of the proposed rule on the industry as a whole, the data necessary to project changes for specific manufacturers or groups of manufacturers were not available, as HRSA does not collect the information necessary to assess the size of an individual manufacturer that participates in the 340B Program. For purposes of the RFA, HHS considers all health care providers to be small entities either by virtue of meeting the Small Business Administration (SBA) size standard for a small business, or for being a nonprofit organization that is not dominant in its market. The current SBA size standard for health care providers ranges from annual receipts of $7 million to $35.5 million. As of January 1, 2017, over 12,000 covered entities participate in the 340B Program, which represent safety-net healthcare providers across the country. HHS has determined, and the Secretary certifies that this proposed rule will not have a significant impact on the operations of a substantial number of small manufacturers; therefore, we are not preparing an analysis of impact for the purposes of this RFA. HHS estimates that the economic impact on small entities and small manufacturers will be minimal and less than 3 percent. HHS welcomes comments concerning the impact of this proposed rule on small manufacturers and small health care providers.

HHS also seeks comments on any impacts of affected parties to reduce by

six months, the effective date of the 2017 final rule from July 1, 2019 to January 1, 2019.

Unfunded Mandates Reform Act

Section 202(a) of the Unfunded Mandates Reform Act of 1995 requires that agencies prepare a written statement, which includes an assessment of anticipated costs and benefits, before proposing ''any rule that includes any Federal mandate that may result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more (adjusted annually for inflation) in any one year.'' In 2018, that threshold is approximately $150 million. HHS does not expect this rule to exceed the threshold.

Executive Order 13132—Federalism

HHS has reviewed this proposed rule in accordance with Executive Order 13132 regarding federalism, and has determined that it does not have ''federalism implications.'' This rule would not ''have substantial direct effects on the States, or on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' The proposal to rescind the June 5, 2018 final rule and make the January 5, 2017 final rule effective as of January 1, 2019 would not adversely affect the following family elements: Family safety, family stability, marital commitment; parental rights in the education, nurture, and supervision of their children; family functioning, disposable income or poverty; or the behavior and personal responsibility of youth, as determined under Section 654(c) of the Treasury and General Government Appropriations Act of 1999. HHS invites additional comments on the impact of this proposed rule from affected stakeholders.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that OMB approve all collections of information by a Federal agency from the public before they can be implemented. This proposed rule is projected to have no impact on current reporting and recordkeeping burden for manufacturers under the 340B Program. Changes proposed in this rule would result in no new reporting burdens. Comments are welcome on the accuracy of this statement.

List of Subjects in 42 CFR Part 10

Biologics, Business and industry, Diseases, Drugs, Health, Health care, Health facilities, Hospitals.

Dated: October 26, 2018.

George Sigounas,

Administrator, Health Resources and Services Administration.

Approved: October 30, 2018.

Alex M. Azar II,

Secretary, Department of Health and Human Services.

[FR Doc. 2018–24057 Filed 10–31–18; 11:15 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 253

[Docket No. 180220192–8192–01]

RIN 0648–BH82

Shipping Act, Merchant Marine, and Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) Provisions; Fishing Vessel, Fishing Facility and Individual Fishing Quota Lending Program

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

ACTION: Proposed rule.

SUMMARY: The NMFS' Fisheries Finance Program (FFP or Program) proposes to revise the operating rules of the Program and set forth procedures, eligibility criteria, loan terms, and other requirements to add FFP financing to construct fishing vessels or reconstruct fishing vessels in limited access fisheries that are neither overfished or subject to overfishing. NMFS believes that this change will help preserve the economic benefits the nation derives from its commercial fishing fleets. Aging fishing vessels will need to be replaced. This will allow the FFP to play a small role in this process. Additionally, new fishing vessels will provide a safer environment for fishing crews and will be more fuel efficient. The rule provides for controls over the uses of replaced vessels that might otherwise contribute to additional harvesting efforts that could lead to overfishing. Currently, the Program provides loans to purchase, refurbish, or refinance fishing vessels, fish processing facilities, aquaculture facilities and individual fishing quota (IFQ) permits. The program also offers loans to community development quota (CDQ) groups to borrow for traditional loan purposes. NMFS also recently amended its regulations to add the purchase or refinancing of federally managed harvesting rights in limited access fisheries.

DATES: The comment period for this draft rule ends December 17, 2018.

ADDRESSES: You may submit comments, identified by NOAA–NMFS–2014–0062, by any one of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal. *Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2014-0062, click the ''Comment Now!'' icon, complete the required fields and enter or attach your comments.*
- *Fax:* 301–713–1305, Attn: Earl Bennett;
- *Mail:* Earl Bennett, Program Leader, FFP, Financial Services Division, NMFS, Attn: F/MB5, 1315 East West Highway, SSMC3, Silver Spring, MD 20910.

Instructions: All comments received are a part of the public record and will generally be posted to *http://www.regulations.gov* without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Earl Bennett, NMFS, Fisheries Finance Program, 301–427–8765.

SUPPLEMENTARY INFORMATION:

Electronic Access

This proposed rule is also accessible at *http://www.gpoaccess.gov/fr.*

Background

Since 1997, the FFP has provided direct loans (loan guarantees prior to that) at 2 percentage points above the Treasury borrowing rate. All FFP vessel loans are collateralized by the fishing vessel, and often include additional collateral and/or guarantees. The creditworthiness of borrowers is also examined to ensure their ability to repay the loan. These provide a means of recovery in the event of a payment default. To date, less than one percent of borrowers have defaulted.

In 2016, Congress passed section 302 of the Coast Guard Authorization Act of 2015 (the ''Act'') (Pub. L. 114–120) which included specific authority for

the Program to finance the construction or reconstruction of fishing vessels in a fishery that is managed under a limited access system. (16 U.S.C. Section 1802)

This rule is being proposed because of concerns raised by commercial fisheries that private commercial markets improperly evaluate the risk associated with capital needs of the fishing industry, leading to shorter amortization periods and higher interest rates than would support the upfront investment required for new vessel construction. Current FFP regulations prohibit financing the cost of new vessel construction. There was a time when there were many open domestic fisheries. It was deemed important that the program would not add harvesting capacity to unregulated fisheries. Now NMFS is proposing to restrict new vessel construction to fisheries with a limited access system which is consistent with the goal to have sustainable fisheries.

This rule, if finalized, removes the prohibition on new vessel construction and reconstruction financing. The rule would also provide the same general loan requirements for new vessel construction that apply to all traditional loans. These changes would have no effect on currently allowed fisheries financing activities, including current traditional loans and the separately authorized Northwest halibut and sablefish quota share (HSQS), Bering Sea and Aleutian Island (BSAI) crab IFQ, and North Pacific CDQ loans except that it would also explicitly state that loans are restricted to fisheries that are subject to managed limited access systems that are neither overfished or subject to overfishing.

Other than specifically identified, this rule if implemented would not change any of the existing FFP regulations, requirements or procedures.

NMFS specially notes that in response to the industry's concerns, the FFP does take into consideration the value of permits, quota share or other harvesting rights associated with the project being financed. The value of harvesting rights will be taken into consideration when determining the adequacy of collateral.

Vessel Construction and Reconstruction Financing Overview

The replacement of aged vessels in managed fisheries will result in the more efficient use of fisheries, promote safety at sea, and improve environmental operations of fishers. Furthermore, recapitalization and modernization of an over-aged fishing fleet goes hand-in-hand with effective fisheries management.

Based on current loan authority amounts, the rule change would provide the opportunity for a small number of fishers in federally managed limited access fisheries, setting total allowable catch limits, to modernize their operations by building new, replacement vessels, or rebuilding their current vessels. Loans will only be available for projects in fisheries that are in managed limited access systems that are not deemed to be overfished or subject to overfishing.

Even though fishing vessels can be replaced, without the benefit of FFP loans, the fishing industry cannot always find the feasible, long-term, fixed-rate financing necessary to make a replacement vessel economically viable. Smaller, one-vessel operators often have a hard time finding adequate financing. Variable interest rates increase the economic uncertainty of fishing operations that are already subject to variations in weather, prices, and total allowable catch. The availability of the FFP will provide some stability in one critical aspect of managing a fishing operation.

To ensure the FFP program does not contribute to over-fishing, loans provided for the construction or reconstruction of fishing vessels that increase capacity, not to be confused with increased harvesting, would be provided only where no affected species are overfished or subject to overfishing.

As is the current practice, the FFP will notify the fisheries Regional Administrators of a loan application to ensure that it meets the requirements of the fishery(ies) in which the new vessel will participate. Since the new vessel will replace an existing vessel, as explained below, and will fish under the old vessel's permits, all harvesting must be part of the fisheries management plan. The FFP would not provide financing if the fisheries management plan could not support the harvesting level, regardless of the increased fishing capacity of the new vessel, required for the applicant to be financially viable.

NMFS would implement the new vessel construction and reconstruction loans on the same equitable first come, first served basis based on individual qualifications as current loans. That is, the FFP would evaluate each vessel construction or reconstruction project on the basis of its ability, with present permits and entitlements and overall catch limitations, to repay the requested loan. This includes recent fluctuations in the conditions of the fisheries, prices, economics, useful life of the fishing vessel, and financial condition of the borrower. As a result, projections of total allowable catch over time are not useful for evaluating the financial viability of a certain project as it is too speculative. However, present catch limits do provide valuable perspective on the current financial condition of a prospective borrower. If the subject fishery becomes ''deemed to be overfished'' while the loan application is under consideration, the FFP would cease processing the loan at that point. Applicants need to be mindful that the current application fee of one half of one percent of the amount requested once paid, irrespective of why the Program denies a loan, statutory provisions limit refunds to fifty percent of the fee. The proposed revisions also clarify that NMFS only extends financing in managed fisheries under limited access systems.

This rule would also address the issue of what to do with the replaced vessels. While the replaced vessels may be old and in need of modernization, they may retain substantial market value. A borrower may choose from the following options:

(a) The replaced vessel will be scrapped,

(b) The vessel will continue to operate in a federally-managed fishery under limited access, or

(c) The federal fishery endorsement will be permanently cancelled and the vessel will be prohibited from fishing or providing support to fishing activities anywhere in the world; the vessel's title will also be marked to prohibit the vessel's transfer to any foreign flag. If the vessel were ever to cease operation in a federally-managed fishery under limited access or is sold, then option (c) would automatically apply.

The requirements under these options would have to be completed within four months of the loan closing(s). If the borrower selects option (c), at loan closing the borrower would authorize the Program and the United States Coast Guard to act on the borrower's behalf to have the fisheries endorsement revoked and have the vessel's title amended to prohibit a transfer to a foreign flag. In addition, failure to complete any of the tasks outlined in the options above would be considered an event of default under the loan.

Vessel Construction Borrowing Opportunities

Borrowers would be able to participate in new vessel construction financing in two basic ways: Direct construction financing, or ''take-out'' financing of private sector construction loans.

Direct construction financing—The FFP would provide up to 80 percent of

the cost of financing a new fishing vessel during its construction. The vessel owner would commit 20 percent to the project and keep a reserve of as much as thirty (30) percent of the estimated cost to cover potential cost overruns. Or, in lieu of a reserve account, the vessel owner would be responsible for securing a completion bond or insurance, as approved by the FFP. The program would make periodic payments to the shipyard as key milestones were met as verified by the surveyor reporting to NMFS. This would necessitate the vessel owner closing multiple loans over the construction period—each closing having its own costs—and accruing interest on those loans while the vessel/partial vessel was still in the yard. Finally, FFP loan commitments would be usable within a five-year period of obligation as long as the applicant remains qualified. The vessel construction project would have to be completed and funded within that time. Project risk faced by the FFP in this option would be higher than take out financing.

Take-out financing—The FFP could evaluate a new vessel construction project and, based on that evaluation, make a commitment to refinance non-FFP construction loans after completion of the construction. With the availability of take-out financing, the vessel owner may secure prime-rate construction financing in the private sector. Once the vessel was successfully completed (including sea trials), fully licensed and permitted in its intended fishery and the vessel owner was in compliance with all loan terms, NMFS would disburse funds to the construction financing lender. There would be just one closing, which would refinance up to 80 percent of the eligible costs of construction. Project risk with this option would be relatively low for the FFP.

Finally, the Act now specifically allows vessels over 165 feet in length in Pacific Northwest fisheries to be considered for FFP loans. The cost of these vessels is likely to exceed $130 million each. Construction costs of vessels of 300 feet or greater length may exceed $170 million. The FFP authorized lending each year is presently $100 million and is limited by statute to a total outstanding principal balance of $850 million.

Comments Requested

NMFS seeks comments on this proposed rule, particularly concerning the orderly implementation of the rule, the conditions placed on new vessel construction loans, and the reserve account requirements. NMFS is also interested in what time-frames should be expected for the construction of a new fishing vessel of less than 100 feet, or more than 100 feet? Should NMFS solely provide construction financing, or should it consider refinancing private sector construction debt? What are reasonable terms for shipyard performance bonds or insurance on vessel construction? How should the vessel surveyor or engineer, reporting to NMFS, be contracted? Should a replaced vessel be allowed to become a replacement vessel within the same federally managed fishery, a different federally managed fishery, or should it be scrapped altogether in order to qualify for the loan? Transfer to a non-regulated fishery would not be allowed.

Over the last 2 years, the average interest rate charged for FFP loans was 4.53 percent. NMFS also specifically seeks comments regarding the industry standard for interest charged for new vessel construction loans.

NMFS welcomes comments on these and any related questions regarding financing of new fishing vessels.

Changes in the Proposed Rule

The general definitions at § 253.10 will revise the definition of ''Project'' to include construction of a new fishing vessel and adds definitions for ''Vessel construction financing'' and ''limited access system.'' Revisions to § 253.16 regarding actual cost, would redesignate and revise paragraph (d) to paragraph (e) and adds new paragraph (d) to provide the basis for determining the actual cost of vessel construction lending. Traditional loans at § 253.26 parts (a) and (b) are revised to include implementing guidance for new vessel construction. A new section, Vessel construction financing, is added as § 253.32 to provide requirements specific to new vessel construction financing. The new section § 253.33 is added to codify NMFS' policy that all financings shall require participation in managed fisheries with harvest limitation. Moreover, vessel construction and harvesting rights loan participation will be further restricted to federally managed limited access systems. NMFS also made minor changes to correct errors or improve readability that do not affect the substantive provisions of the rule.

Classification

This proposed rule is published under the authority of, and is consistent with, Chapter 537 of Title 46 of the United States Code and the Magnuson-Stevens Act, as amended. The NMFS Assistant Administrator has determined that this proposed rule is consistent with Chapter 537 of Title 46 of the U.S. Code, the Magnuson-Stevens Act, as amended, and other applicable law, subject to further consideration after public comment.

In addition to public comment about the proposed rule's substance, NMFS also seeks public comment on any ambiguity or unnecessary complexity from the language used in this proposed rule.

NEPA

NMFS has made a preliminary determination that this rule qualifies to be categorically excluded from further NEPA review. This action is consistent with categories of activities identified in CE G7 of the Companion Manual for NOAA Administrative Order 216–6A, and we have identified no extraordinary circumstances that would preclude this categorical exclusion. NMFS is accepting comments and information during the public comment period for the proposed rule relevant to our preliminary categorical exclusion determination.

Executive Order 12866

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

This proposed rule does not duplicate, overlap, or conflict with any other relevant Federal rules.

Regulatory Flexibility Act

The Chief Counsel for Regulation of the Department of Commerce has certified to the Chief Counsel for Advocacy of the Small Business Administration (SBA) that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities.

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601, *et seq.,* requires that, whenever an agency is required by section 553 of this title (5 U.S.C. 553), or any other law, to publish general notice of proposed rulemaking for any proposed rule, or publishes a notice of proposed rulemaking for an interpretative rule involving the internal revenue laws of the United States, the agency shall prepare and make available for public comment an initial regulatory flexibility analysis. Such analysis shall describe the impact of the proposed rule on small entities. 5 U.S.C. 603(a). However, where an agency can certify that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities then an agency need not undertake a full regulatory flexibility analysis. 5 U.S.C. 605(b).

Participation in the FFP is entirely voluntary. This action imposes no mandatory requirements on any business. If finalized, this proposed rule would implement programs authorized by law. Specifically, this rule would create a new lending purpose authorized by the Act and would be implemented in accordance with 50 CFR part 253, subpart B. This action will create new § 253.32 and amend several other sections.

As defined by NMFS for RFA purposes, this rule may affect small fishing entities that have annual revenues of $11.0 million or less, including, but not limited to, vessel owners, vessel operators, individual fishermen, small corporations, and others engaged in commercial fishing activities regulated by NMFS. Borrowers under this authority may also include large businesses. Notably, because the FFP is a voluntary program that provides loans to qualified borrowers, non-borrowers—large or small—would not be regulated by this rule.

Although the FFP requires certain supporting documentation during the life of a loan, the requirements do not impose unusual burdens when compared to the burdens imposed by other lenders. Moreover, because the basic need for financing would continue to exist without the FFP, the individuals seeking financing would still need to comply with similar, if not identical, requirements imposed by another lender. Records required to participate in the FFP are usually within the normal records already maintained by fishermen. It should take no more than eight hours per application to meet these requirements.

The information required from borrowers, such as income tax returns, insurance policies, permits, licenses, etc., is already available to them. Depending on circumstances, the FFP may require other supporting documents, including financial statements, property descriptions, and other documents that can be acquired at reasonable cost if they are not already available.

FFP lending is a source of long-term, fixed rate capital financing and imposes no regulatory requirements on anyone other than those applying for loans. FFP borrowers make a voluntary decision to use the available lending.

These loan programs will only have positive impacts on borrowers. Because participation is voluntary and requires effort and the outlay of an application fee, borrowers for harvesting rights financing are assumed to have made a determination that using FFP financing provides a benefit, such that the FFP's long-term, fixed rate financing provides only a positive economic impact. Importantly, the FFP does not regulate or manage the affairs of its borrowers, and the regulations impose no additional compliance, operating or other fees or costs on small entities other than those that a financing relationship would require.

Because this rule would not have a significant economic effect on a substantial number of small entities, an initial regulatory flexibility analysis is not required and none has been prepared.

Paperwork Reduction Act

This proposed rule contains collection-of information requirements subject to the Paperwork Reduction Act (PRA). The collections of information have been approved by the Office of Management and Budget (OMB) under OMB Control Number 0648–0012 (loan application). The public reporting burden for the FFP financing is estimated to average no more than eight hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding these burden estimates or any other aspect of this data information, including suggestions for reducing the burden, to NMFS (see **ADDRESSES**) and by email to *OIRA_submission@omb.eop.gov,* or fax to 202–395–7285.

List of Subjects in 50 CFR Part 253

Aquaculture, Community development groups, Direct lending, Financial assistance, Fisheries, Fishing, Individual fishing quota.

Dated: October 29, 2018.

Samuel D. Rauch III,

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

For the reasons set out in the preamble, 50 CFR part 253 is proposed to be amended as follows:

PART 253—FISHERIES ASSISTANCE PROGRAMS

■ 1. The authority citation for part 253 continues to read as follows:

Authority: 46 U.S.C. 53701 and 16 U.S.C. 4101 *et seq.*

■ 2. Amend § 253.10 by:

■ a. Revising the definition for subparagraph (1) under ''Project'',

■ b. Adding the definitions for ''limited access system'' and ''Vessel construction financing'' in alphabetical order.

The revisions and additions read as follows:

§ 253.10 General definitions.

* * * * *

Project means:

(1) The financing or refinancing of the construction of a new fishing vessel or the financing or refinancing of a fishery or aquaculture facility or the refurbishing or purchase of an existing vessel or facility, including, but not limited to, architectural, engineering, inspection, delivery, outfitting, and interest costs, as well as the cost of any consulting contract the Program requires;

* * * * *

Limited access system has the same meaning given to that term in section three of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802.)

Vessel construction financing means either financing the ongoing construction of a new vessel from its inception through completion, including successful sea trials, or refinancing up to 80 percent of the cost of the construction of a new vessel upon the completion of such construction and successful vessel sea trails.

* * * * *

■ 3. In § 253.16 redesignate and revise paragraph (d) as paragraph (e) and add new paragraph (d) to read as follows:

§ 253.16 Actual cost.

* * * * *

(d) The actual cost of a vessel which is the subject of vessel construction financing shall be determined as follows:

(1) The initial actual cost shall be the estimated eligible costs of the construction; and

(2) The final actual cost shall be the total final documented eligible costs of the completed construction.

(e) The actual cost of any Project that includes any combination of items described in paragraphs (a), (b), (c) or (d) of this section shall be the sum of such calculations.

■ 4. Revise § 253.26 paragraphs (a) and (b) to read as follows:

§ 253.26 Traditional loans.

(a) *Eligible projects.* Financing or refinancing up to 80 percent of a project's actual cost shall be available to any citizen who is determined to be eligible and qualified under the Act and these rules.

(b) *Financing or refinancing.*

(1) Projects may be financed, as well as refinanced.

(2) The Program may finance the construction cost of a Vessel or Facility

or refinance the construction cost of a Vessel or Facility that has already been financed (or otherwise paid) prior to the submission of a loan application.

(3) The Program may finance the refurbishing cost of a Vessel or Facility or refinance the refurbishing cost of a Vessel or Facility that has already been financed (or otherwise paid) prior to the submission of a loan application.

(4) The Program may finance or refinance the purchase or refurbishment of any vessel or facility for which the Secretary has:

(i) Accelerated and/or paid outstanding debts or obligations;

(ii) Acquired; or

(iii) Sold at foreclosure.

* * * * *

■ 5. Add § 253.32 to read as follows:

§ 253.32 Vessel construction financing.

(a) *Project Performance and Completion.* The program, in the case of financing the ongoing construction of a new vessel will require a bond, insurance or reserve fund to protect against cost overruns and/or failure of the borrower to complete vessel construction in an amount up to thirty (30) percent of estimated construction cost. The amount and form of such protection shall be determined in the sole discretion of the Program. All costs associated with such protection shall be paid by the borrower. In the case of Vessel construction financing that only involves Program funding after the completion of vessel construction and sea trials, this section is not applicable.

(b) *Vessel Surveyor.* The program, in the case of financing the ongoing construction of a new vessel, will require the borrower to secure a vessel surveyor or naval architect for the period of vessel construction. The surveyor will report on the vessel's progress through construction and represent the Program's interest. All costs associated with such services shall be paid by the borrower. In the case of Vessel construction financing that only involves Program funding after the completion of vessel construction and sea trials, this section is not applicable.

(c) *Replaced Vessel.* The vessel to be replaced by the new vessel must be named at the time of loan application. The replaced vessel:

(1) Must be scrapped,

(2) Continues to operate in a federally-managed fishery under limited access, or

(3) Must have its federal fishery endorsement permanently cancelled and the vessel is permanently prohibited from fishing or providing support to fishing activities anywhere in the world; and the vessel's title is marked to prohibit the vessel's transfer to any foreign flag. If the vessel were ever to cease operation in a federally-managed fishery under limited access or is sold, then option (c) would automatically apply. This requirement must be completed within four (4) months from the closing of the financing. The borrower will authorize the Program and the United States Coast Guard Vessel Documentation Center to act on the borrower's behalf to make the vessel title changes if this requirement is not completed within the four (4) month requirement. Failure to comply with this requirement shall be an event of default under the loan.

(d) *Multiple loans.* In the case of financing the ongoing construction of a vessel, the Program may have to close multiple loans to meet shipyard payment demands or use an escrow account to hold funds. All costs, including but not limited to escrow fees, loan interest and quarterly payments, associated with either option shall be paid by the borrower.

(e) *Limited Access Fisheries.* All vessels constructed under this authority must be used only in a federally managed limited access system that is not deemed to be overfished or subject to overfishing.

■ 6. Add § 253.33 to read as follows:

§ 253.33 Managed Fisheries Requirement.

(a) All financings shall require participation in managed fisheries with harvest limitations, and

(b) For vessel construction and harvesting rights loans, participation is further restricted to federally managed limited access systems that are not deemed to be overfished or subject to overfishing.

(c) The FFP will cease processing a loan application at any point during the process including at closing if the subject fishery is moved to an ''overfished'' or ''subject to overfishing'' category. Refunds of the application fee of one half of one percent of the amount requested once paid, irrespective of why the program denies a loan, are limited to 50 percent of the fee.

[FR Doc. 2018–23956 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

Notices

Federal Register

Vol. 83, No. 213

Friday, November 2, 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.

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Idaho Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Announcement of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act (FACA) that a meeting of the Idaho Advisory Committee (Committee) to the Commission will be held at 12:00 p.m. (Mountain Time) Friday, December 7, 2018. The purpose of the meeting is to plan the implementation of the Committee's project on Native American voting rights.

DATES: The meeting will be held on Friday, December 7, 2018, at 12:00 p.m. MST Public Call Information:

Dial: 877–260–1479.

Conference ID: 3934836.

FOR FURTHER INFORMATION CONTACT: Alejandro Ventura at *aventura@usccr.gov* or (213) 894–3437

SUPPLEMENTARY INFORMATION: This meeting is available to the public through the number listed above. Any interested member of the public may call this number and listen to the meeting. Callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Callers will incur no charge for calls they initiate over land-line connections to the toll-free telephone number. Persons with hearing impairments may also follow the proceedings by first calling the Federal Relay Service at 1–800–877–8339 and providing the Service with the conference call number and conference ID number.

Members of the public are entitled to make comments during the open period at the end of the meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meeting. Written comments may be mailed to the Western Regional Office, U.S. Commission on Civil Rights, 300 North Los Angeles Street, Suite 2010, Los Angeles, CA 90012. They may be faxed to the Commission at (213) 894–0508, or emailed Alejandro Ventura at *aventura@usccr.gov.* Persons who desire additional information may contact the Regional Programs Unit at (213) 894–3437.

Records and documents discussed during the meeting will be available for public viewing prior to and after the meeting at *http://facadatabase.gov/committee/meetings.aspx?cid=245.* Please click on the ''Meeting Details'' and ''Documents'' links. Records generated from this meeting may also be inspected and reproduced at the Regional Programs Unit, as they become available, both before and after the meeting. Persons interested in the work of this Committee are directed to the Commission's website, *http://www.usccr.gov,* or may contact the Regional Programs Unit at the above email or street address.

Agenda

I. Call to Order and Roll Call

II. Adoption of Agenda

III. Approval of Minutes From October 16, 2018 Meeting

IV. Discussion of Implementation Plan for Project on Native American Voting Rights

V. Public Comment

VI. Discussion of Next Steps

VII. Adjournment

Dated: October 30, 2018.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2018–24040 Filed 11–1–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–67–2018]

Foreign-Trade Zone (FTZ) 158—Jackson, Mississippi; Notification of Proposed Production Activity; Calsonic Kansei North America (Automotive Parts), Canton, Mississippi

Calsonic Kansei North America (CKNA) submitted a notification of proposed production activity to the FTZ Board for its facility in Canton, Mississippi. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on October 25, 2018.

The applicant indicates that it will be submitting a separate application for FTZ designation at the CKNA facility under FTZ 158. The facility will be used to produce a variety of automotive parts and subassemblies for use in the automotive industry. Pursuant to 15 CFR 400.14(b), FTZ activity would be limited to the specific foreign-status materials and components and specific finished products described in the submitted notification (as described below) and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt CKNA from customs duty payments on the foreign-status components used in export production. On its domestic sales, for the foreign-status materials/components noted below, CKNA would be able to choose the duty rates during customs entry procedures that apply to: Safety, warning, and identification labels; glove box dampers; rubber grommets, mounts and seals; air filters; steel hex screws; polypropylene+talc plastic fuse covers; steel brackets; air vents; motor fan housings; air conditioner (a/c) blower fans; a/c evaporators with seals; a/c heater cores with seals; catalytic converters; evaporator expansion valves; electronic body control modules; plastic switch retaining brackets; airbag electronic control units; bumper brackets; center console boxes; plastic switch brackets; plastic covers; cover instruments; air duct center vents; dashboard speaker covers; cup holders; plastic lids; hinge plastic covers; console removable liners; air filter covers; windshield defrost ducts;

dashboard pads; instrument panels; plastic center console pockets; motor fan splash guards; plastic radiator mount supports; radiator tank reserves; center console trays; air vents; plastic air intake doors; mechanical links and levers for intake doors; radiator with seals; steel mufflers end plates; steel exhaust tubes; steering column covers; steering members; radiator caps; air intake ducts; transmission oil coolers with seals; instrument cluster control switches, and instrument cluster finishers (duty rate ranges from duty-free to 6%). CKNA would be able to avoid duty on foreign-status components which become scrap/waste. Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

The components and materials sourced from abroad include: Polypropylene+talc; blank labels; aluminum condensor seals; rubber radiator seals; vibration control rubber bumpers, mounting, and stoppers; steel flanges; zinc plated screw-taps; zinc plated bolts; steel screws; steel clips; steel brackets; flux cored wires; steel tubes; a/c blower fans; aluminum fan inserts; a/c blower fans with motors; air conditioner units; a/c amplifiers; connector liquid-tanks; heater cores with seals; evaporators; aluminum condensor pipe flanges; aluminum condensor header plates; condensor aluminum pipes; air filters; catalytic converters; steel catalytic converter housings; injection molds; muffler valves; evaporator expansion valves; electric fan motors; warning buzzers and speakers; radio units; antenna digital control modules; smart keyless antennae; air bag cut off indicators; capacitor-chips; resistors; printed circuit boards; instrument cluster switches; battery charging status warning indicators; audio control switches; manual a/c control units; automatic a/c control units; manual a/c controls; vehicle area network bridge controls; diodes; electronic frequency crystal-quartz; a/c controllers; body control module unit circuits; advanced driver assistance systems; electronic control unit occupant detection systems; integrated circuit-central processing units; airbag occupant electronic control units; sensors and diagnosis air bag service kits; air bag unit sensors; steering wire harnesses; a/c unit insulators; rear console finishers; instrument panel finishers; lid-fuse blocks; plastic instrument panel covers; door vents; a/c slide doors; steel radiator caps; aluminum radiator header plates; aluminum radiator core reinforcements; radiator with transmission oil coolers; aluminum radiator tubes; steel inlets and outlet diffuser exhaust tubes; flanges; steel insulators; steel exhaust pipes; aluminum condenser adapters; polypropulene+talc center duct adapters; steel boss oxygen exhaust manifolds; steel exhaust cap convertors; polypropulene+talc front cases; plastic air conditioner unit clips; stainless steel motor fan clips; zinc plated steel radiator support mounting collars; body control module connectors; ignition switch covers; connector covers; low density polyethylene duct aspirators; fan control modules; urethane foam grommet heater pipes; polyacetal hinge pins; nylon antenna holders; acrylonitrile ethylene styrene glove box lamp housings; automatic transmission controls; exhaust manifold steel joints; polycarbonate/acrylonitrile butadiene styrene and polyvinyl chloride instrument cluster skin lids; glove box lids; a/c motor/actuators; polypropulene+talc connector covers; acrylonitrile butadiene styrene switch covers; instrument clusters; polycarbonate/acrylonitrile butadiene styrene dashboard finishers; acrylonitrile butadiene styrene+polyethylene furanoate+polyvinyl chloride console panel covers; thermistor type power temperature coefficient circuit breakers; instrument cluster pointer supports; a/c unit soft vinyl drain tubes; transmission oil cooler adapters; transmission oil coolers; intake sensor with clips; ambient in car sensors; sun sensors, and electronic a/c fan controls (duty rate ranges from duty-free to 7%). The request indicates that certain materials/components are subject to special duties under Section 232 of the Trade Expansion Act of 1962 (Section 232) and Section 301 of the Trade Act of 1974 (Section 301), depending on the country of origin. The applicable Section 232 and Section 301 decisions require subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is December 12, 2018.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230–0002, and in the ''Reading Room'' section of the Board's website, which is accessible via *www.trade.gov/ftz.*

For further information, contact Christopher Wedderburn at *Chris.Wedderburn@trade.gov* or (202) 482–1963.

Dated: October 29, 2018.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2018–24014 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–68–2018]

Foreign-Trade Zone (FTZ) 23—Buffalo, New York; Notification of Proposed Production Activity; Panasonic Eco Solutions Solar New York America, Subzone 23E, (Crystalline Silicon Photovoltaic Cells), Buffalo, New York

Panasonic Eco Solutions Solar New York America (PESSNY) submitted a notification of proposed production activity to the FTZ Board for its facility in Buffalo, New York. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on October 24, 2018.

PESSNY already has authority to produce crystalline silicon photovoltaic (CSPV) solar panels/modules within Subzone 23E. The current request would add a finished product (CSPV cells) to the scope of authority. Pursuant to 15 CFR 400.14(b), additional FTZ authority would be limited to the specific finished product described in the submitted notification and subsequently authorized by the FTZ Board.

Production under FTZ procedures could exempt PESSNY from customs duty payments on the foreign-status materials/components in the existing scope of authority used in export production of CSPV cells. On its domestic sales, for the foreign-status materials/components (primarily silicon wafers and silver paste) in the existing scope of authority (duty rates range between duty-free and 5.8%), PESSNY would be able to choose the duty rate during customs entry procedures that applies to CSPV cells (duty free). PESSNY would be able to avoid duty on foreign-status components which become scrap/waste. Customs duties also could possibly be deferred or reduced on foreign-status production equipment. The request indicates that certain materials/components in the existing scope of authority are subject to special duties under Section 301 of the Trade Act of 1974 (Section 301),

depending on the country of origin. The applicable Section 301 decision(s) requires subject merchandise to be admitted to FTZs in privileged foreign status (19 CFR 146.41).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is December 12, 2018.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230–0002, and in the ''Reading Room'' section of the Board's website, which is accessible via *www.trade.gov/ftz.*

For further information, contact Diane Finver at *Diane.Finver@trade.gov* or (202) 482–1367.

Dated: October 29, 2018.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2018–24015 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–928]

Uncovered Innerspring Units From the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative Review; 2017–2018

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

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that, for the two companies subject to this review, Foshan Nanhai Jolyspring (Foshan Nanhai) is a part of the China-wide entity and Comfort Coil Technology Sdn. Bhd. (Comfort Coil) had no shipments during the period of review (POR), February 1, 2017, through January 31, 2018. Interested parties are invited to comment on these preliminary results.

FOR FURTHER INFORMATION CONTACT: Christian Llinas, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: 202.482.4877.

SUPPLEMENTARY INFORMATION:

Background

On April 16, 2018, Commerce published in the **Federal Register** a notice of initiation of an administrative review of the antidumping duty order on uncovered innerspring units from the People's Republic of China.[1] Commerce initiated a review with respect to two companies: Comfort Coil Technology Sdn. Bhd. (Comfort Coil) and Foshan Nanhai Jolyspring (Foshan Nanhai).[2] On May 11, 2018, Commerce issued its questionnaire to Comfort Coil and Foshan Nanhai.[3] The questionnaire for Comfort Coil was undeliverable,[4] and based on an alternate address provided by the petitioner,[5] on July 5, 2018, we resent the questionnaire to Comfort Coil.[6] We confirmed delivery of the questionnaires to both respondents.[7]

On July 11, 2018, Comfort Coil stated it had ''no sales, exports, or entries of subject merchandise during the period of review.'' [8] On July 30, 2018, Commerce issued a no shipment inquiry to U.S. Customs and Border Protection (CBP) with respect to Comfort Coil, and CBP reported no entries for the company during the POR.[9] Foshan Nanhai never responded to the questionnaire, nor did it contact Commerce to state that it was unable to respond or to request an extension of time to do so.

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 83 FR 16298 (April 16, 2018) (*Initiation Notice*); *see also Uncovered Innerspring Units from the People's Republic of China: Notice of Antidumping Duty Order,* 74 FR 7661 (February 19, 2009).

[2] *See Initiation Notice.*

[3] *See* Commerce's Letters to Comfort Coil and Foshan Nanhai, dated May 11, 2017.

[4] *See* Memorandum to the File, ''Ninth Antidumping Duty Administrative Review of Uncovered Innerspring Units from the People's Republic of China: Initial AD Questionnaire,'' dated June 1, 2018.

[5] *See* the petitioner's Letter to Commerce, ''Ninth Antidumping Duty Administrative Review of Uncovered Innerspring Units from the People's Republic of China: Alternative Address for Initial AD Questionnaire'' (June 4, 2018).

[6] *See* Letter from Commerce, ''Ninth Administrative Review of Uncovered Innerspring Units from the People's Republic of China: Initial AD Questionnaire'' (July 5, 2018).

[7] *See* Memorandum to the File, ''Ninth Antidumping Duty Administrative Review of Uncovered Innerspring Units from the People's Republic of China: Initial AD Questionnaire,'' dated June 1, 2018; Memorandum to the File, ''Ninth Antidumping Duty Administrative Review of Uncovered Innerspring Units from the People's Republic of China: FedEx Delivery Receipt,'' (October 22, 2018).

[8] *See* Letter to Commerce, ''Uncovered Innerspring Units from the People's Republic of China—No Sales Certification'' (July 11, 2018).

[9] *See* Commerce's Memorandum, ''No shipment inquiry'' (August 1, 2018).

Scope of the Order

The merchandise subject to the order is uncovered innerspring units composed of a series of individual metal springs joined together in sizes corresponding to the sizes of adult mattresses (*e.g.,* twin, twin long, full, full long, queen, California king, and king) and units used in smaller constructions, such as crib and youth mattresses. The product is currently classified under subheading 9404.29.9010 and has also been classified under subheadings 9404.10.0000, 9404.29.9005, 9404.29.9011, 7326.20.0070, 7326.20.0090, 7320.20.5010, 7320.90.5010, or 7326.20.0071 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS subheadings are provided for convenience and customs purposes only; the written description of the scope of the order is dispositive.[10]

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). For a full description of the methodology underlying our conclusions, please see the Preliminary Decision Memo. The Preliminary Decision Memo 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 is available to all parties in the Central Records Unit, Room B8024 of the main Commerce building. In addition, a complete version of the Preliminary Decision Memo can be accessed directly on the internet at *http://enforcement.trade.gov/frn/.* The signed Preliminary Decision Memo and the electronic version are identical in content.

Preliminary Determination of No Shipments

On July 11, 2018, Comfort Coil filed a no shipment certification, indicating that it did not export subject merchandise to the United States during the POR. During the course of this review, Commerce examined this no shipments claim and provides its analysis in the Preliminary Decision

[10] For a full description of the scope of the order, see the Department Memorandum, ''Decision Memorandum for Preliminary Results of 2017–2018 Antidumping Duty Administrative Review: Uncovered Innerspring Units from the People's Republic of China,'' dated concurrently with and hereby adopted by this notice (Preliminary Decision Memo).

Memo. Based on the record evidence, we preliminarily determine that Comfort Coil had no shipments during the POR. In addition, consistent with our practice in non-market economy cases, Commerce is not rescinding this review for Comfort Coil, but intends to complete the review with respect to Comfort Coil and issue appropriate instructions to CBP based on the final results of the review.[11] Should evidence contrary to Comfort Coil's no-shipments claims arise, we will address the issue in the final results.

Preliminary Results of Review

Because Foshan Nanhai did not respond to the questionnaire, Commerce preliminarily determines that Foshan Nanhai is not eligible for a separate rate and is a part of the China-wide entity. We are not conducting a review of the China-wide entity. Thus, the weighted-average dumping margin for the China-wide entity (234.51 percent) [12] is not subject to change as a result of this review. Accordingly, the pre-existing China-wide rate of 234.51 percent will apply to entries of Foshan Nanhai's subject merchandise into the United States during the POR.

Public Comment [13]

Pursuant to 19 CFR 351.309(c)(1)(ii), interested parties may submit case briefs not later than 30 days after the date of publication of this notice in the **Federal Register**. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.[14] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[15] Case and rebuttal briefs should be filed using ACCESS.[16] An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Standard Time on the due dates set forth in this notice.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance within 30 days of the date of publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues parties intend to discuss. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at the U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230, at a date and time to be determined.[17] Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Unless extended, Commerce intends to issue the final results of this administrative review, which will include the results of our analysis of all issues raised in the case and rebuttal briefs, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon issuance of the final results, Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.[18] Commerce intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any assessment rate calculated in the final results of this review is above *de minimis.* The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable. Assessment of duties resulting from the final results of this review will pertain only to entries of subject merchandise (*i.e.,* innerspring units from China).

If we continue to find that Comfort Coil had no shipments during the period of review in the final results, Commerce will direct CBP to liquidate and assess antidumping duties on all entries made during the period of review claiming Comfort Coil as the exporter or producer in accordance with the *Reseller Policy, i.e.,* at the rate for the China-wide entity.[19]

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from China entered, or withdrawn from warehouse, for consumption on or after the publication date of this notice, as provided by section 751(a)(2)(C) of the Act: (1) For previously investigated or reviewed Chinese and non-Chinese exporters of subject merchandise that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate published for the most recently completed period; (2) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, *i.e.,* Foshan Nanhai, the cash deposit rate will be the China-wide rate of 234.51 percent; and (3) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: October 29, 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 Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the Order

[11] *See* Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties, 76 FR 65694, 65694–65695 (October 24, 2011) (*Reseller Policy*).

[12] *See Uncovered Innerspring Units from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2012–2013,* 79 FR 56338, (September 19, 2014).

[13] Normally, Commerce discloses to interested parties the calculations performed in connection with the preliminary results of review within five days of the date of publication of the notice of preliminary results in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, in this review there are no calculations to disclose.

[14] *See* 19 CFR 351.309(d).

[15] *See* 19 CFR 351.309(c)(2) and (d)(2).

[16] *See* 19 CFR 351.303.

[17] *See* 19 CFR 351.310(d).

[18] *See* 19 CFR 351.212(b)(1).

[19] *See Reseller Policy.*

IV. Preliminary Determination of No Shipments
V. NME Country Status
VI. Conclusion

[FR Doc. 2018–24013 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG493

Marine Mammals; File No. 21636

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Joshua Schiffman, M.D., University of Utah, 2000 Circle of Hope Drive, Salt Lake City, UT 84112 has applied in due form for a permit to import, export, and receive marine mammal parts for scientific research.

DATES: Written, telefaxed, or email comments must be received on or before December 3, 2018.

ADDRESSES: The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the ''Features'' box on the Applications and Permits for Protected Species (APPS) home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 21636 from the list of available applications.

These documents are also available upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427–8401; fax (301) 713–0376.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713–0376, or by email to *NMFS.Pr1Comments@noaa.gov.* Please include the File No. 21636 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Shasta McClenahan or Jennifer Skidmore, (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

The applicant proposes to import, export, and receive biological samples from up to 100 cetaceans and 100 pinnipeds, excluding walrus, annually for scientific research to study the mechanisms of cancer resistance in marine mammals. The requested duration of the permit is 5 years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: October 30, 2018.

Julia Marie Harrison,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2018–24039 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG578

North Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of a public meeting.

SUMMARY: The North Pacific Fishery Management Council (Council) Fishery Monitoring Advisory Committee Subgroup will meet on November 19, 2018.

DATES: The meeting will be held on Monday, November 19, 2018, from 8:30 a.m. to 11:30 a.m., Pacific Standard Time.

ADDRESSES: The meeting will be held at the International Pacific Halibut Commission Offices, 2320 West Commodore Way, Seattle, WA 98199. Teleconference number: (877) 733–2599, Conference ID: 282264.

Council address: North Pacific Fishery Management Council, 605 W 4th Ave., Suite 306, Anchorage, AK 99501–2252; telephone: (907) 271–2809.

FOR FURTHER INFORMATION CONTACT: Elizabeth Figus, Council staff; telephone: (907)–271–2801.

SUPPLEMENTARY INFORMATION:

Agenda

Monday, November 19, 2018

The agenda will include: drafting additional recommendations for how to potentially lower costs and increase observer coverage rates in the partial coverage category while maintaining the data sufficient for managing the fisheries; randomized deployment; and, cost equity considerations among participants. This may include providing input of differential deployment base levels by gear type.

The Agenda is subject to change, and the latest version will be posted at *www.npfmc.org* prior to the meeting, along with meeting materials.

Public Comment

Public comment letters will be accepted and should be submitted either electronically to Elizabeth Figus, Council staff: *Elizabeth.figus@noaa.gov* or through the mail: North Pacific Fishery Management Council, 605 W 4th Ave., Suite 306, Anchorage, AK 99501–2252. In-person oral public testimony will be accepted at the discretion of the chair.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Shannon Gleason at (907) 271–2809 at least 7 working days prior to the meeting date.

Dated: October 30, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018–23978 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG539

Marine Mammals; File No. 22183

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Michelle Shero, Ph.D., 266 Woods Hole Road, Woods Hole, MA 02543, has applied in due form for a permit to conduct research on Weddell seals (*Leptoncychotes weddellii*).

DATES: Written, telefaxed, or email comments must be received on or before December 3, 2018.

ADDRESSES: The application and related documents are available for review by selecting ''Records Open for Public Comment'' from the ''Features'' box on the Applications and Permits for Protected Species (APPS) home page, *https://apps.nmfs.noaa.gov,* and then selecting File No. 22183 from the list of available applications.

These documents are also available upon written request or by appointment in the Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427–8401; fax (301) 713–0376.

Written comments on this application should be submitted to the Chief, Permits and Conservation Division, at the address listed above. Comments may also be submitted by facsimile to (301) 713–0376, or by email to *NMFS.Pr1Comments@noaa.gov.* Please include the File No. in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits and Conservation Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

FOR FURTHER INFORMATION CONTACT: Sara Young or Carrie Hubard, (301) 427–8401.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216).

Research activities will take place between October 1 and March 31 for the five austral summer seasons. Each season will encompass two sampling periods: one during the lactation period (October to November) and one at the end of the molt (January to March). During the first period, up to 25 adult females will be given a health exam and dive recorders/transmitters will be recovered from females handled the previous molt period. At the end of the molt, up to 25 adult females will undergo a health and pregnancy status assessment and will be outfitted with a satellite-relay dive recorder. Unmanned aircraft system surveys will be used for photogrammetry of handled animals, as well as unhandled seals in larger area surveys. Up to 500 crabeater seals (*Lobodon carcinophagus*) may also be taken by incidental harassment. Research activities will conducted as part of a larger assessment of Weddell seals in the Ross Sea Marine Protected Area, led by the New Zealand Antarctic Program.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: October 30, 2018.

Julia Marie Harrison,

Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2018–24038 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG579

North Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The North Pacific Fishery Management Council (Council) Electronic Monitoring Committee will meet November 19, 2018 through November 20, 2018.

DATES: The meeting will be held on Monday, November 19, 2018, from 12 p.m. to 5:30 p.m. and on Tuesday, November 20, 2018, from 8:30 a.m. to 5:30 p.m. (or as necessary), Pacific Standard Time.

ADDRESSES:

Meeting address: The meeting will be held at the International Pacific Halibut Coalition Offices, 2320 West Commodore Way, Seattle, WA 98199. Teleconference number: (877) 733–2599, Conference ID: 282264.

Council address: North Pacific Fishery Management Council, 605 W 4th Ave., Suite 306, Anchorage, AK 99501–2252; telephone: (907) 271–2809.

FOR FURTHER INFORMATION CONTACT: Elizabeth Figus, Council staff; telephone: (907) 271–2809.

SUPPLEMENTARY INFORMATION:

Agenda

Monday, November 19, 2018 to Tuesday, November 20, 2018

The agenda will include: Updates since the last meeting in August 2018; staff presentations about the updated Alaska Regional Electronic Technologies Implementation Plan, biological sampling needs, electronic monitoring in other regions, and automation; reviewing a white paper on retention, a data streams draft document, and research plans for tender issues in the western Gulf of Alaska; discussing funding opportunities; finalizing a cooperative research plan document; and, scheduling and other issues.

The Agenda is subject to change, and the latest version will be posted at *www.npfmc.org* prior to the meeting, along with meeting materials.

Public Comment

Public comment letters will be accepted and should be submitted either electronically to Elizabeth Figus, Council staff: *Elizabeth.figus@noaa.gov* or through the mail: North Pacific Fishery Management Council, 605 W 4th Ave., Suite 306, Anchorage, AK 99501–2252. In-person oral public testimony will be accepted at the discretion of the chair.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Shannon Gleason at (907) 271–2809 at least 7 working days prior to the meeting date.

Dated: October 30, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018–23979 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG576

Fisheries of the Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

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

ACTION: Notice of SEDAR 57 Assessment Webinar III for Caribbean spiny lobster.

SUMMARY: The SEDAR 57 stock assessment process for Caribbean spiny lobster will consist of a Data Workshop, a series of data and assessment webinars, and a Review Workshop. See **SUPPLEMENTARY INFORMATION**.

DATES: The SEDAR 57 Assessment Webinar III will be held Monday, November 19, 2018, from 1 p.m. to 3 p.m. Eastern Time.

ADDRESSES: The meeting will be held via webinar. The webinar is open to members of the public. Those interested in participating should contact Julie A. Neer at SEDAR (see **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information. Please request webinar invitations at least 24 hours in advance of each webinar.

SEDAR address: 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405.

FOR FURTHER INFORMATION CONTACT: Julie A. Neer, SEDAR Coordinator; (843) 571–4366; email: *Julie.neer@safmc.net*.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR is a multi-step process including: (1) Data Workshop, (2) a series of assessment webinars, and (3) A Review Workshop. The product of the Data Workshop is a report that compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The assessment webinars produce a report that describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The product of the Review Workshop is an Assessment Summary documenting panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office, HMS Management Division, and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

1. Using datasets and initial assessment analysis recommended from the Data Webinar, panelists will employ assessment models to evaluate stock status, estimate population benchmarks and management criteria, and project future conditions.

2. Participants will recommend the most appropriate methods and configurations for determining stock status and estimating population parameters.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 5 business days prior to each workshop.

Note: The times and sequence specified in this agenda are subject to change.

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

Dated: October 30, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018–23980 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG585

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's Summer Flounder, Scup, and Black Sea Bass Advisory Panel will hold a public meeting via webinar, jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Advisory Panel.

DATES: The meeting will be held on Monday, November 19, 2018, from 1 p.m. to 4 p.m. See **SUPPLEMENTARY INFORMATION** for agenda details.

ADDRESSES: The meeting will take place over webinar, which can be accessed at *http://mafmc.adobeconnect.com/sfsbsb_ap_nov2018/*. Meeting audio can also be accessed via telephone by dialing 1–800–832–0736 and entering room number 5068871.

Council address: Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331; website: *www.mafmc.org.*

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: The Mid-Atlantic Fishery Management Council's Summer Flounder, Scup, and Black Sea Bass Advisory Panel, together with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Advisory Panel, will meet on Monday, November 19, 2018 (see **DATES** and **ADDRESSES**). The purpose of this meeting is to Provide comments and recommendations on recreational management measures for summer flounder, scup, and black sea bass in 2019. A detailed agenda and background documents will be made

available on the Council's website (*www.mafmc.org*) prior to the meeting.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526–5251, at least 5 days prior to the meeting date.

Dated: October 30, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018–23982 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG566

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The Working Group of the Northeast Trawl Advisory Panel (NTAP) of the Mid-Atlantic Fishery Management Council will hold a public meeting.

DATES: The meeting will be held on Monday, November 19, beginning at 10 a.m. and conclude by 4 p.m. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: *Meeting address:* The meeting will be held at the Northeast Fisheries Science Center (NEFSC) office located on 28 Tarzwell Dr., Narragansett, RI 02882 and available via webinar (*http://www.mafmc.org/ntap*).

Council address: Mid-Atlantic Fishery Management Council, 800 N. State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331; *www.mafmc.org.*

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: The purpose of this Working Group meeting is to: (1) Review the status of the wingspread performance analyses and gear performance (door) evaluations, (2) discuss the twin trawl survey design and door testing with considerations given to species of interest, timing, experimental design and analyses, (3) discuss other business and next steps for the NTAP.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Saunders, (302) 526–5251, at least 5 days prior to the meeting date.

Dated: October 30, 2018.

Tracey L. Thompson,

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

[FR Doc. 2018–23981 Filed 11–1–18; 8:45 am]

BILLING CODE 3510–22–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Addition and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Addition to and deletions from the Procurement List.

SUMMARY: This action adds a product to the Procurement List that will be furnished by a nonprofit agency employing persons who are blind or have other severe disabilities, and deletes products from the Procurement List previously furnished by such agencies.

DATES: *Date added to and deleted from the Procurement List:* December 2, 2018.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S Clark Street, Suite 715, Arlington, Virginia, 22202–4149.

FOR FURTHER INFORMATION CONTACT: Michael R. Jurkowski, Telephone: (703) 603–2117, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION:

Addition

On 5/25/2018 (83 FR 102), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed addition to the Procurement List.

After consideration of the material presented to it concerning capability of a qualified nonprofit agency to provide the product and impact of the addition on the current or most recent contractors, the Committee has determined that the product listed below is suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organization that will furnish the product to the Government.

2. The action will result in authorizing a small entity to furnish the product to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 8501–8506) in connection with the product proposed for addition to the Procurement List.

End of Certification

Accordingly, the following product is added to the Procurement List:

Product

NSN(s)—Product Name(s): 7350–01–332–2111—Bowl, Paper, Round, 12 oz., Natural

Mandatory for: Total Government Requirement

Mandatory Source of Supply: The Lighthouse for the Blind in New Orleans, Inc., New Orleans, LA

Contracting Activity: General Services Administration, Fort Worth, TX

Distribution: A-List

Deletions

On 9/28/2018 (83 FR 189), the Committee for Purchase From People Who Are Blind or Severely Disabled published notice of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the products listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 8501–8506 and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the products to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-

O'Day Act (41 U.S.C. 8501–8506) in connection with the products deleted from the Procurement List.

End of Certification

Accordingly, the following products are deleted from the Procurement List:

Products

NSN(s)—Product Name(s): MR 830—Spinner, Salad
Mandatory Source of Supply: Cincinnati Association for the Blind, Cincinnati, OH
Contracting Activity: Defense Commissary Agency

NSN(s)—Product Name(s): MR 467—Grocery Shopping Tote Bag, Laminated, Easter, Orange Eggs, Small
Mandatory Source of Supply: Industries for the Blind and Visually Impaired, Inc., West Allis, WI
Contracting Activity: Defense Commissary Agency

NSN(s)—Product Name(s): 8540–00–NIB–0040—Towel, Paper, C-Fold, 100% PCRM, 4″ x 10¼″, White, 7 Bundles
Mandatory Source of Supply: LC Industries, Inc., Durham, NC
Contracting Activity: GSA/FAS Admin Svcs Acquisition BR(2), New York, NY

NSN(s)—Product Name(s): 7530–00–NIB–0556—Folder, Classification
7530–00–NIB–0552—Folder, Classification
Mandatory Source of Supply: Clovernook Center for the Blind and Visually Impaired, Cincinnati, OH
Contracting Activity: GSA/FAS Admin Svcs Acquisition BR(2), New York, NY

NSN(s)—Product Name(s): 7520–01–643–8193—Retractable, Ballpoint Pen and Stylus, Medium, Black Ink
Mandatory Source of Supply: Industries of the Blind, Inc., Greensboro, NC
Contracting Activity: GSA/FAS Admin Svcs Acquisition BR(2), New York, NY

NSN(s)—Product Name(s):
7930–00–NIB–0127—Cleaner, Commercial Vehicle, Skilcraft Savvy TR–43, Gallon
7930–00–NIB–0142—Cleaner, Commercial Vehicle, Skilcraft Savvy TR–43, 5 Gallons
7930–00–NIB–0143—Cleaner, Commercial Vehicle, Skilcraft Savvy TR–43, 55 Gallons
Mandatory Source of Supply: VisionCorps, Lancaster, PA
Contracting Activity: GSA/FSS Greater Southwest Acquisiti, Fort Worth, TX

NSN(s)—Product Name(s):
7110–01–622–1763—White Board, Dry Erase, Magnetic, Work/Plan Kit, Aluminum Frame, 6′ x 4′
7110–01–622–1764—White Board, Dry Erase, Magnetic, Work/Plan Kit, Aluminum Frame, 4′ x 3′
Mandatory Source of Supply: The Lighthouse for the Blind, Inc. (Seattle Lighthouse), Seattle, WA
Contracting Activity: GSA/FAS Furniture Systems MGT DIV, Philadelphia, PA

Michael R. Jurkowski,
Business Management Specialist, Business Operations.

[FR Doc. 2018–24016 Filed 11–1–18; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to and deletions from the Procurement List.

SUMMARY: The Committee is proposing to add products and a service to the Procurement List that will be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes products and services previously furnished by such agencies.

DATES: Comments must be received on or before: December 2, 2018.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, 1401 S. Clark Street, Suite 715, Arlington, Virginia, 22202–4149.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 603–2117, Fax: (703) 603–0655, or email *CMTEFedReg@AbilityOne.gov.*

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Additions

If the Committee approves the proposed additions, the entities of the Federal Government identified in this notice will be required to procure the products and service listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

The following products and service are proposed for addition to the Procurement List for production by the nonprofit agencies listed:

Products

NSN(s)—Product Name(s): MR 8000—9999—Power Panel Program, MR Series 8000—9999
Mandatory for: The requirements of military commissaries and exchanges in accordance with the Code of Federal Regulations 41 CFR 51–6.4.
Mandatory Source of Supply: Winston-Salem Industries for the Blind, Inc., Winston-Salem, NC
Contracting Activity: Defense Commissary Agency
Distribution: C-List

Service

Service Type: Fulfillment Service
Mandatory for: U.S. Coast Guard Academy Admissions Division, 31 Mohegan Ave., New London, CT
Mandatory Source of Supply: Virginia Industries for the Blind, Charlottesville, VA
Contracting Activity: United States Coast Guard Academy

Deletions

The following products and services are proposed for deletion from the Procurement List:

Products

NSN(s)—Product Name(s): 6545–00–NSH–0026—Long Range Raid (LRR)
Mandatory Source of Supply: ServiceSource, Inc., Oakton, VA
Contracting Activity: Commander, Quantico, VA

NSN(s)—Product Name(s): 8465–01–141–2321—Pack, Personal Gear, Forest Service
Mandatory Source of Supply: Helena Industries, Inc., Helena, MT
Contracting Activity: Defense Logistics Agency Troop Support

Services

Service Type: Janitorial/Custodial Service
Mandatory for: U.S. Army Reserve Center: 936 Easton Road, Horsham, PA
U.S. Army Reserve Center: 1020 Sandy Street, Norristown, PA
Mandatory Source of Supply: The Chimes, Inc., Baltimore, MD
Contracting Activity: Dept of the Army, W40M NORTHEREGION Contract Ofc

Michael R. Jurkowski,
Business Management Specialist, Business Operations.

[FR Doc. 2018–24012 Filed 11–1–18; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF DEFENSE

Department of the Air Force

[Docket ID USAF–2018–HQ–0011]

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Commander, United States Transportation Command announces a proposed public information collection

and seeks public comment on the provisions thereof. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by January 2, 2019.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Chief Management Officer, Directorate for Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24 Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Commander, United States Transportation Command. ATTN: Mr. Thomas E Thompson, (J4–PI), USTRANSCOM–J4, 508 Scott Dr., AFB IL, 62225–1437, (618) 220–4804.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Tender of Service for Personal Property Household Goods and Unaccompanied Baggage Shipments, DD Form 619; OMB Control Number 0704–0531.

Needs and Uses: The information collection requirement is necessary to private sector commercial Transportation Service Providers, who are under contract with the DOD for shipment/storage of personal property, to identify ownership, schedule pickup and delivery of personal property, to include privately owned vehicles, motorcycles, and house trailers/motor homes, Bill of Lading for services rendered, personal property counseling checklist.

To U.S. Customs and Border Protection Declaration for personal property shipments, re-weigh of personal property, shipment evaluation and inspection reports, receipt for unaccompanied baggage, mobile home inspection record, temporary commercial storage at Government expense, accessorial services-mobile home, report of contractor services, and claims for loss and damage; to manifest individuals and personal property being transported in the Defense Travel System (DTS); to provide emergency contact information to the designated authorized carrier under DoD contract and DoD authorizing activity, emergency contact information in the event of an emergency; to disclose information to other Federal agencies in order to manage an optimize DoD transportation resources, and to provide customs, immigration, and transportation security screening; to the designated authorized carrier under DoD contract and DoD authorizing activity, emergency contact information in the event of an emergency; to the Department of State to locate individuals in the DTS; to General Service Administration and Defense Government Accounting Activities for processing government Bills of Lading, and post-payment audits as required.

Affected Public: Business of Other For-Profit.

Annual Burden Hours: 18,980 hours.

Number of Respondents: 876.

Responses per Respondent: 260.

Annual Responses: 227,760.

Average Burden per Response: 5 minutes.

Frequency: On occasion.

The Tender of Service is the contractual agreement between the DOD and the Transportation Service Provider (TSP), under which the TSP agrees to provide services in accordance with the conditions cited in the Tender of Service. In accordance with the provisions of DOD 4500.9–R, the DD Form 619 is used by the household goods TSP industry to itemize accessorial services and other charges for billing purposes on household goods and unaccompanied baggage shipments.

Dated: October 29, 2018.

Shelly E. Finke,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 2018–23942 Filed 11–1–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2018–HQ–0026]

Proposed Collection; Comment Request

AGENCY: Army & Air Force Exchange Service (Exchange), DoD.

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Army & Air Force Exchange Service (Exchange) announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by January 2, 2019.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Chief Management Officer, Directorate for Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24, Suite 08D09B, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Army & Air Force Exchange Service, Office of the General Counsel, Compliance Division, ATTN: Teresa Schreurs, 3911 South Walton Walker Blvd., Dallas, TX 75236–1598 or call the Exchange Compliance Division at 800–967–6067.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Exchange Employee Travel Files; OMB Control Number 0702–0131.

Needs and Uses: The information collection requirement is necessary to process official travel requests for civilian employees of the Army and Air Force Exchange Service; to determine eligibility of the individual's dependents to travel; to obtain the necessary clearance where foreign travel is involved, including assisting individuals in applying for passports and visas and counseling where proposed travel involves visiting/transiting communist countries and danger zones.

Affected Public: Individuals or Households.

Annual Burden Hours: 262.5.

Number of Respondents: 350.

Responses per Respondent: 1.

Annual Responses: 350.

Average Burden per Response: 45 Minutes.

Frequency: On occasion.

Respondents are Exchange employees, family members, and dependents that are authorized to make Exchange government travel. The completed forms are necessary to obtain this authorization and to provide the employee and their dependents with assistance to obtain visas, passports, security clearances and other travel documents as required.

Dated: October 30, 2018.

Shelly E. Finke,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018–23970 Filed 11–1–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army

[Docket ID: USA–2018–HQ–0025]

Proposed Collection; Comment Request

AGENCY: Department of the Army, DoD.

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Office of the Provost Marshal General announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by January 2, 2019.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Mail:* Department of Defense, Office of the Chief Management Officer, Directorate for Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24, Suite 08D09B, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

Any associated form(s) for this collection may be located within this same electronic docket and downloaded for review/testing. Follow the instructions at *http://www.regulations.gov* for submitting comments. Please submit comments on any given form identified by docket number, form number, and title.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the Department of the Army, Office of the Provost Marshal General, Law Enforcement Division, ATTN: Jason L. Hood, 2800 Army, Pentagon, DC, 20301–2800 or call Law Enforcement Division, at 703–614–6461.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Army Sex Offender Information; Department of the Army Form 190–45–SG (Army Law Enforcement Reporting and Tracking System (ALERTS)); OMB Control Number 0702–0128.

Needs and Uses: The information collection requirement is necessary to obtain and record the sex offender registration information of those sex offenders who live, work or go to school on Army installations. Respondents are any convicted sex offender required to register pursuant to any DOD, Army, State government, law, regulation, or policy where they are employed, reside, or are a student and live, work, or go to school on an Army installation. The information collected is used by Army law enforcement to ensure the sex offender is compliant with any court order restrictions.

Affected Public: Business or other for profit; Not-for-profit institutions and Individuals and Households.

Annual Burden Hours: 40.

Number of Respondents: 120.

Responses per Respondent: 1.

Annual Responses: 120.

Average Burden per Response: 20 minutes.

Frequency: On occasion.

Respondents are sex offenders required to register with the state and live, work or go to school on an Army Installation. The information collected is used by Army law enforcement and the Garrison Commander to ensure the sex offender is compliant with any specific court ordered restrictions on Army installations. Data from members of the public is collected only by Army Law Enforcement authorized personnel. The frequency of sex offender registration with the Provost Marshall Office (PMO) is not under the control of any Army Law Enforcement personnel, it is the responsibility of the sex offender who lives or works on the Army installations to follow Army policy and report to the PMO within 3 working days of assignment to the installation. Sex Offenders could live or work on an Army installation and live in government housing near schools or daycare without Army Law Enforcement's knowledge. Army Law Enforcement would be less able to complete its mission to provide security and law enforcement to safeguard personnel living and working on Army installations.

Dated: October 30, 2018.

Shelly E. Finke,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2018–23969 Filed 11–1–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DOD–2018–OS–0087]

Proposed Collection; Comment Request

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, DoD.

ACTION: Information collection notice.

SUMMARY: In compliance with the *Paperwork Reduction Act of 1995,* the Office of the Under Secretary of Defense for Personnel and Readiness announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by January 2, 2019.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

Federal eRulemaking Portal: http://www.regulations.gov. Follow the instructions for submitting comments.

Mail: Department of Defense, Office of the Chief Management Officer, Directorate for Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350–1700.

Instructions: All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at *http://www.regulations.gov* as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Deputy Assistant Secretary for Defense Reserve Integration, 1500 Defense Pentagon, Washington DC, 20301 ATTN: Colonel Jamar Scott, Director Civil Military Policy, or call 703.571.3188.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Community Member Application for Innovative Readiness Training; OMB Control Number 0704–XXXX.

Needs and Uses: This information collection is necessary to support the Department of Defense's Innovative Readiness Training (IRT) program. Each year the military collects voluntary applications from communities to participate in IRT missions. Communities respond to the collection because they will have a chance to receive incidental support and services from the DoD during a conduct of an IRT mission and training. Currently the majority of missions are in the form of civil engineering projects or medical care. IRT however, is not limited to this only and any application is considered for its potential training value and incidental community benefit.

Affected Public: State, local, or tribal government; not-for-profit institutions.

Annual Burden Hours: 300.

Number of Respondents: 100.

Responses per Respondent: 1.

Annual Responses: 100.

Average Burden per Response: 3 hours.

Frequency: As required.

Dated: October 30, 2018.

Shelly E. Finke,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 2018–23972 Filed 11–1–18; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

Application to Pilot; Federal Student Aid's Next Generation Financial Services Environment—Payment Vehicle Account Program Pilot

AGENCY: Federal Student Aid, Department of Education.

ACTION: Notice; amendment.

SUMMARY: On October 17, 2018, we published in the **Federal Register** a notice inviting applications from parties to implement a Pilot of a Payment Vehicle Account Program. This notice amends the deadline for transmittal of applications, the dates of the in-person presentations for applicants selected to present and discussion session, and the intended award date.

DATES:

Deadline for Transmittal of Applications: November 30, 2018.

In-Person Presentations for Applications selected to Present (45 minutes) and Discussion Session (45 minutes): December 18, 2018 to December 20, 2018.

Intended Award Date: On or before December 31, 2018.

FOR FURTHER INFORMATION CONTACT: Please email *FSAPaymentVehicle@ed.gov.* You may also contact Dr. Charles Patterson, Project Advisor at (202) 377–4133, or Emily Malone, Project Advisor at (202) 377–4624.

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.

SUPPLEMENTARY INFORMATION: On October 17, 2018, we published in the **Federal Register** a notice inviting applications from parties to implement a Pilot of a Payment Vehicle Account Program (83 FR 52427). This notice amends the deadline for transmittal of applications, the dates of the in-person presentations for applicants selected to present and discussion session, and the intended award date. All other information in the original notice remains the same.

Amendments

In FR Doc. 2018–22646, we make the following amendments:

(a) On page 52427 in the first column, under the heading **DATES**, after the words ''Deadline for Transmittal of Applications:'' We are removing the date ''November 7, 2018'' and replacing it with the date ''November 30, 2018.''

(b) On page 52427 in the first column, under the heading **DATES**, after the words ''In-Person Presentations for Applicants selected to Present (45 minutes) and Discussion Session (45 minutes):'' We are removing the dates ''November 21, 2018 to November 28, 2018'' and replacing them with the dates ''December 18, 2018 to December 20, 2018.''

(c) On page 52427 in the first column, under the heading **DATES**, after the words ''Intended Award Date:'' We are removing the date ''December 5, 2018'' and replacing it with ''On or before December 31, 2018.''

(d) On page 52435 in the second column, under the heading Electronic Submission of Applications, we are revising the sentence following the first

bullet point to read, ''You must complete the electronic submission of your Application by 4:30 p.m., Eastern Time, on November 30, 2018.''

Program Authority: 34 CFR 668.164(d)(3); 20 U.S.C. 1018.

VII. Other Information

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 Project Advisors listed under **FOR FURTHER INFORMATION CONTACT** in this Notice.

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: October 30, 2018.

James F. Manning,

Acting Chief Operating Officer, Federal Student Aid.

[FR Doc. 2018–24049 Filed 11–1–18; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Notice of 229 Boundary Revision at the Paducah Gaseous Diffusion Plant

AGENCY: Office of Environmental Management, Portsmouth/Paducah Project Office, U.S. Department of Energy (DOE).

ACTION: Notice of revision of boundary locations at the Paducah Gaseous Diffusion Plant, Paducah, Kentucky.

SUMMARY: Notice is hereby given that the U.S. Department of Energy, pursuant to the Atomic Energy Act of 1954, as amended, prohibits the unauthorized entry and the unauthorized introduction of weapons or dangerous materials into or upon the facilities of the Paducah Gaseous Diffusion Plant, located in McCracken County, Kentucky, of the United States Department of Energy. The facilities are described in this notice.

DATES: This action is effective on November 2, 2018.

FOR FURTHER INFORMATION CONTACT: Robert E. Edwards, III, Portsmouth/Paducah Project Office Manager, 1017 Majestic Drive, Suite 200, Lexington, KY 40513, Telephone: (859) 219–4000, Facsimile: (859) 219–4099.

George Hellstrom, Portsmouth/Paducah Project Office Lead Counsel, 2017 Majestic Drive, Suite 200, Lexington, KY 40513, Telephone: (859) 219–4000, Facsimile: (859) 219–4009.

SUPPLEMENTARY INFORMATION: Public notice of the section 229 boundary of the Paducah Gaseous Diffusion Plant was initially made in the **Federal Register** notice published October 19, 1965 (30 FR 13287). The boundary was revised on May 7, 1980 (45 FR 30106). The boundary was revised in its entirety on January 23, 2012 (77 FR 3255).

Pursuant to section 229 of the Atomic Energy Act, as implemented by DOE regulations at 10 CFR part 860 (28 FR 8400, Aug. 26, 1963), the amendment by substitution of the following description language for the entirety of the former descriptions are made. DOE regulations prohibit the unauthorized entry (10 CFR 860.3) and the unauthorized introduction of weapons or dangerous materials (10 CFR 860.4) into or upon the facilities.

1. The DOE installation known as the Paducah Gaseous Diffusion Plant located in McCracken County, KY, approximately 6,000 feet North of Woodville Road (State Route 725) and approximately 6,300 feet West of Metropolis Lake Road. The primary security interest area, including a buffer area, totals approximately 1,223 acres with boundary coordinates as follows:

Longitude	Latitude
1. 88 49′23.00″ W	37 05′39.09″ N
2. 88 49′16.19″ W	37 05′54.36″ N
3. 88 49′06.21″ W	37 06′15.89″ N
4. 88 49′08.81″ W	37 06′16.70″ N
5. 88 49′08.65″ W	37 06′17.04″ N
6. 88 49′05.87″ W	37 06′16.77″ N
7. 88 49′04.15″ W	37 06′20.34″ N
8. 88 49′04.71″ W	37 06′20.94″ N
9. 88 49′04.06″ W	37 06′21.36″ N
10. 88 49′06.53″ W	37 06′25.26″ N
11. 88 49′04.41″ W	37 06′26.14″ N
12. 88 49′04.31″ W	37 06′26.57″ N
13. 88 49′02.98″ W	37 06′28.80″ N
14. 88 49′07.16″ W	37 06′31.57″ N
15. 88 49′09.40″ W	37 06′33.23″ N
16. 88 49′12.68″ W	37 06′37.41″ N
17. 88 49′18.81″ W	37 06′35.97″ N
18. 88 49′21.65″ W	37 06′38.22″ N
19. 88 49′22.07″ W	37 06′39.28″ N
20. 88 49′23.80″ W	37 06′41.71″ N
21. 88 49′24.00″ W	37 06′42.71″ N
22. 88 49′25.69″ W	37 06′42.58″ N
23. 88 49′26.88″ W	37 06′40.73″ N
24. 88 49′33.85″ W	37 06′39.83″ N
25. 88 49′34.95″ W	37 06′42.84″ N
26. 88 49′34.49″ W	37 06′47.83″ N
27. 88 49′38.46″ W	37 06′47.51″ N
28. 88 49′38.42″ W	37 06′47.29″ N
29. 88 49′41.19″ W	37 06′47.08″ N
30. 88 49′41.27″ W	37 06′47.87″ N
31. 88 49′41.20″ W	37 06′59.58″ N
32. 88 49′40.99″ W	37 07′00.22″ N
33. 88 49′40.32″ W	37 07′00.59″ N
34. 88 49′39.13″ W	37 07′00.62″ N
35. 88 49′38.24″ W	37 07′02.65″ N
36. 88 49′37.15″ W	37 07′04.49″ N
37. 88 49′36.13″ W	37 07′04.53″ N
38. 88 49′36.05″ W	37 07′05.24″ N
39. 88 49′31.45″ W	37 07′15.32″ N
40. 88 49′28.22″ W	37 07′14.28″ N
41. 88 49′24.37″ W	37 07′18.14″ N
42. 88 49′18.00″ W	37 07′23.87″ N
43. 88 49′12.03″ W	37 07′29.10″ N
44. 88 49′10.93″ W	37 07′28.80″ N
45. 88 49′10.83″ W	37 07′29.01″ N
46. 88 49′07.20″ W	37 07′27.90″ N
47. 88 49′05.43″ W	37 07′29.64″ N
48. 88 49′04.49″ W	37 07′29.37″ N
49. 88 49′03.97″ W	37 07′27.53″ N
50. 88 49′04.03″ W	37 07′27.31″ N
51. 88 47′55.88″ W	37 07′07.10″ N
52. 88 48′04.24″ W	37 06′48.69″ N
53. 88 47′56.92″ W	37 06′46.40″ N
54. 88 47′59.23″ W	37 06′41.61″ N
55. 88 47′58.75″ W	37 06′40.24″ N
56. 88 48′00.32″ W	37 06′37.13″ N
57. 88 48′01.80″ W	37 06′35.13″ N
58. 88 48′08.63″ W	37 06′19.96″ N
59. 88 48′13.94″ W	37 06′09.21″ N
60. 88 48′15.14″ W	37 06′07.07″ N
61. 88 48′18.10″ W	37 06′03.60″ N
62. 88 48′19.51″ W	37 06′02.37″ N
63. 88 48′22.67″ W	37 06′00.21″ N
64. 88 48′25.72″ W	37 05′58.77″ N
65. 88 48′27.44″ W	37 05′58.17″ N
66. 88 48′31.44″ W	37 05′57.06″ N
67. 88 48′33.22″ W	37 05′56.61″ N
68. 88 48′40.03″ W	37 05′55.16″ N
69. 88 48′49.99″ W	37 05′54.67″ N
70. 88 49′12.69″ W	37 05′53.89″ N
71. 88 49′13.11″ W	37 05′49.69″ N
72. 88 49′14.58″ W	37 05′49.69″ N
73. 88 49′19.82″ W	37 05′38.16″ N

2. The DOE landfill installation located North of Item 1 above and consisting of approximately 106 acres with boundary coordinates as follows:

Longitude	Latitude
1. 88 48′08.48″ W	37 07′31.38″ N
2. 88 47′56.04″ W	37 07′59.86″ N
3. 88 47′36.01″ W	37 07′54.07″ N
4. 88 47′42.98″ W	37 07′41.01″ N
5. 88 47′45.64″ W	37 07′41.75″ N
6. 88 47′51.21″ W	37 07′29.78″ N
7. 88 47′54.79″ W	37 07′27.17″ N

This revised boundary replaces the property description contained in the **Federal Register** notice published January 23, 2012 (77 FR 3255).

Issued in Lexington, KY, this 11th day of October 2018.

Robert E. Edwards, III,

Manager, Portsmouth/Paducah Project Office.

[FR Doc. 2018–24029 Filed 11–1–18; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC19–3–000]

Commission Information Collection Activities (FERC–546); Comment Request; Extension

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of information collection and request for comments.

SUMMARY: In compliance with the requirements of the Paperwork Reduction Act of 1995, the Federal Energy Regulatory Commission (Commission or FERC) is soliciting public comment on the currently approved information collection, FERC–546 (Certificated Rate Filings: Gas Pipeline Rates).

DATES: Comments on the collection of information are due January 2, 2019.

ADDRESSES: You may submit comments (identified by Docket No. IC19–3–000) by either of the following methods:

- *eFiling at Commission's website: http://www.ferc.gov/docs-filing/efiling.asp.*
- *Mail/Hand Delivery/Courier:* Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE, Washington, DC 20426.

Instructions: All submissions must be formatted and filed in accordance with submission guidelines at: *http://www.ferc.gov/help/submission-guide.asp.* For user assistance contact FERC Online Support by email at *ferconlinesupport@ferc.gov,* or by phone at: (866) 208–3676 (toll-free), or (202) 502–8659 for TTY.

Docket: Users interested in receiving automatic notification of activity in this docket or in viewing/downloading comments and issuances in this docket may do so at *http://www.ferc.gov/docs-filing/docs-filing.asp.*

FOR FURTHER INFORMATION CONTACT: Ellen Brown may be reached by email at *DataClearance@FERC.gov,* telephone at (202) 502–8663, and fax at (202) 273–0873.

SUPPLEMENTARY INFORMATION:

Title: FERC–546, Certificated Rate Filings: Gas Pipeline Rates.

OMB Control No.: 1902–0155.

Type of Request: Three-year extension of the FERC–546 information collection requirements with no changes to the current reporting requirements.

Abstract: The requirements of the FERC–546 information collection are contained within the Commission's regulations in 18 CFR parts 154.7, 154.202, 154.204–154.208, 154.602–154.603, 284.501–284.505, and 154.4. The Commission reviews the FERC–546 materials to decide whether to approve rates and tariff changes associated with an application for a certificate under Natural Gas Act (NGA) section 7(c). Additionally, FERC reviews FERC–546 materials in NGA section 4(f), storage applications, to evaluate an applicant's market power and determine whether to grant market-based rate authority to the applicant. The Commission uses the information in FERC–546 to monitor jurisdictional transportation, natural gas storage, and unbundled sales activities of interstate natural gas pipelines and Hinshaw [1] pipelines. In addition to fulfilling the Commission's obligations under the NGA, the FERC–546 enables the Commission to monitor the activities and evaluate transactions of the natural gas industry, ensure competitiveness, and improve efficiency of the industry's operations. In summary, the Commission uses the information to:

- Ensure adequate customer protections under NGA section 4(f);
- Review rate and tariff changes filed under NGA section 7(c) for certification of natural gas pipeline transportation and storage services;
- Provide general industry oversight; and
- Supplement documentation during the pipeline audits process.

Failure to collect this information would prevent the Commission from monitoring and evaluating transactions and operations of jurisdictional pipelines and performing its regulatory functions.

Type of Respondents: Jurisdictional pipeline companies and storage operators.

Estimate of Annual Burden: [2] The Commission estimates the annual reporting burden and cost for the information collection as:

FERC–546 (CERTIFICATED RATE FILINGS: GAS PIPELINE RATES)

	Annual number of respondents (1)	Annual number of responses per respondent (2)	Total number of responses (rounded) (1) * (2) = (3)	Average burden and cost per response [3] (rounded) (4)	Total annual burden hours and total annual cost (rounded) (3) * (4) = (5)	Cost per respondent ($) (rounded) (5) ÷ (1)
Pipeline Certificate Filings and Storage Applications.	51	[4] 1.471	75	500 hrs.; $40,000	37,500 hrs.; $3,000,000	[5] $58,824

[1] Hinshaw pipelines are those that receive all out-of-state gas from entities within or at the boundary of a state if all the natural gas so received is ultimately consumed within the state in which it is received, 15 U.S.C. 717(c). Congress concluded that Hinshaw pipelines are ''matters primarily of local concern,'' and so are more appropriately regulated by pertinent state agencies rather than by FERC. The Natural Gas Act section 1(c) exempts Hinshaw pipelines from FERC jurisdiction. A Hinshaw pipeline, however, may apply for a FERC certificate to transport gas outside of state lines.

[2] ''Burden'' is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

[3] The hourly cost (for salary plus benefits) uses the figures from the Bureau of Labor Statistics, May 2017, for positions involved in the reporting and recordkeeping requirements. These figures include salary (*https://www.bls.gov/oes/current/naics2_22.htm*) and benefits (*http://www.bls.gov/news.release/ecec.nr0.htm*) and are:

Electrical Engineer (Occupation Code: 17–2071; $66.90/hour)

Management Analyst (Occupation Code: 13–1111; $63.32/hour)

Accounting (Occupation Code: 13–2011; $56.59/hours)

Computer and Mathematical (Occupation Code: 15–0000; $63.25/hour)

Legal (Occupation Code: 23–0000; $143.68/hour)

The average hourly cost (salary plus benefits) is calculated weighting each of the previously mentioned wage categories as follows: $66.90/hour (0.4) + $63.32/hour (0.2) + $56.59/hour (0.1) + $63.25/hour (0.1) + $143.68/hour (0.2) = $80.14/hour. The Commission rounds this figure to $80/hour.

[4] This figure was calculated by dividing the total number of responses (75) by the total number of respondents (51). The resulting figure was then rounded to the nearest thousandth place.

[5] Rounded from $58,823.53.

The Commission is revising the burden hours per response for rate and tariff changes associated with certificate applications, from the current estimated averages of 40 hours per pipeline certificate project and 350 hours per storage application, to an overall average of 500 hours per project for all FERC–546 filings. The increase in the average hours per project is due to the complexity and length of time required in the planning and monitoring jurisdictional transportation of pipeline certificate and storage projects and that these additional hours need to be properly accounted for in FERC–546 filings.

Comments: Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: October 29, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–23994 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP16–116–000]

Texas LNG Brownsville, LLC; Notice of Availability of the Draft Environmental Impact Statement for the Proposed Texas LNG Project

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared a draft environmental impact statement (EIS) for the Texas LNG Project, proposed by Texas LNG Brownsville, LLC (Texas LNG) in the above-referenced docket. Texas LNG requests authorization to site, construct, modify, and operate liquefied natural gas (LNG) export facilities on the Brownsville Ship Channel in Cameron County, Texas. The Texas LNG Project would include a new LNG export terminal capable of producing up to 4 million tonnes per annum of LNG for export. The terminal would receive natural gas to the export facilities from a third-party intrastate pipeline.

The draft EIS assesses the potential environmental effects of the construction and operation of the Texas LNG Project in accordance with the requirements of the National Environmental Policy Act (NEPA). The FERC staff concludes that approval of the Texas LNG Project would result in adverse environmental impacts. However, with the mitigation measures recommended in the EIS, impacts in the project area would be avoided or minimized and would not be significant, with the exception of visual resources when viewed from the Laguna Atascosa National Wildlife Refuge. In addition, the Texas LNG Project, combined with other projects in the geographic scope, including the Rio Grande LNG and Annova LNG Projects, would result in significant cumulative impacts from sediment/turbidity and shoreline erosions within the Brownsville Ship Channel during operations from vessel transits; on the federally listed ocelot and jaguarundi from habitat loss and potential for increased vehicular strikes during construction; and on visual resources from the presence of aboveground structures. Construction and operation of the Texas LNG Project would result in mostly temporary or short-term environmental impacts; however, some long-term and permanent environmental impacts would occur.

The U.S. Department of Energy, U.S. Coast Guard, U.S. Army Corps of Engineers, U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration and Federal Aviation Administration, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, National Park Service, and National Oceanic and Atmospheric Administration's National Marine Fisheries Service participated as cooperating agencies in the preparation of the EIS. Cooperating agencies have jurisdiction by law or special expertise with respect to resources potentially affected by the proposal and participate in the NEPA analysis. Although the cooperating agencies provided input to the conclusions and recommendations presented in the draft EIS, the agencies will present their own conclusions and recommendations in their respective Records of Decision for the project.

The draft EIS addresses the potential environmental effects of the construction and operation of the following project facilities:

- Gas gate station and interconnect facility;
- pretreatment facility for carbon dioxide removal and dehydration;
- turbo-expander for pentane plus heavy carbon removal;
- a Liquefaction Plant consisting of two liquefaction trains and ancillary support facilities;
- two approximately 210,000 m^3 aboveground full containment LNG storage tanks with cryogenic pipeline connections to the Liquefaction Plant and berthing dock;
- an LNG carrier berthing dock capable of receiving LNG carriers between approximately 130,000 m^3 and 180,000 m^3 in capacity;
- a permanent material offloading facility to allow waterborne deliveries of equipment and materials during construction and mooring of tug boats while an LNG carrier is at the berth;
- thermal oxidizer, warm wet flare, cold dry flare, spare flare, acid gas flare, and marine flare; and
- administration, control, maintenance, and warehouse buildings and related parking lots; electrical transmission line and substation, water pipeline, septic system, natural gas pipeline, and stormwater facilities/outfalls.

The Commission mailed a copy of the *Notice of Availability* to federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American tribes; potentially affected landowners and other interested individuals and groups; and newspapers and libraries in the project area. The draft EIS is only available in electronic format. It may be viewed and downloaded from the FERC's website (*www.ferc.gov*), on the Environmental Documents page (*https://www.ferc.gov/industries/gas/enviro/eis.asp*). In addition, the draft EIS may be accessed by using the eLibrary link on the FERC's website. Click on the eLibrary link (*https://www.ferc.gov/docs-filing/elibrary.asp*), click on General Search, and enter the docket number in the Docket Number field, excluding the last three digits (*i.e.,* CP16–116). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

Any person wishing to comment on the draft EIS may do so. Your comments should focus on draft EIS's disclosure and discussion of potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. To

ensure consideration of your comments on the proposal in the final EIS, it is important that the Commission receive your comments on or before 5:00pm Eastern Time on December 17, 2018.

For your convenience, there are four methods you can use to submit your comments to the Commission. The Commission will provide equal consideration to all comments received, whether filed in written form or provided verbally. The Commission encourages electronic filing of comments and has staff available to assist you at (866) 208–3676 or *FercOnlineSupport@ferc.gov.* Please carefully follow these instructions so that your comments are properly recorded.

(1) You can file your comments electronically using the eComment feature on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. This is an easy method for submitting brief, text-only comments on a project;

(2) You can file your comments electronically by using the eFiling feature on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on eRegister. If you are filing a comment on a particular project, please select ''Comment on a Filing'' as the filing type; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference the project docket number (CP16–116–000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426

(4) In lieu of sending written or electronic comments, the Commission invites you to attend the public comment session its staff will conduct in the project area to receive comments on the draft EIS, scheduled as follows:

Date and time	Location
Thursday, November 15, 2018; 5:00—9:00 p.m. local time.	Port Isabel Convention Center, 309 E. Railroad Ave, Port Isabel, TX 78578, 956–433–7195.

The primary goal of this comment session is to have you identify the specific environmental issues and concerns with the draft EIS. Individual verbal comments will be taken on a one-on-one basis with a court reporter. This format is designed to receive the maximum amount of verbal comments, in a convenient way during the timeframe allotted.

The scoping session is scheduled from 5:00 p.m. to 9:00 p.m. local time. You may arrive at any time after 5:00 p.m. There will not be a formal presentation by Commission staff when the session opens. If you wish to speak, the Commission staff will hand out numbers in the order of your arrival. Comments will be taken until the closing hour for the comment session. However, if no additional numbers have been handed out and all individuals who wish to provide comments have had an opportunity to do so, staff may conclude the session 30 minutes before the closing hour.[1] Your verbal comments will be recorded by the court reporter (with FERC staff or representative present) and become part of the public record for this proceeding. Transcripts will be publicly available on FERC's eLibrary system (see below for instructions on using eLibrary). If a significant number of people are interested in providing verbal comments in the one-on-one settings, a time limit of 5 minutes may be implemented for each commenter.

It is important to note that verbal comments hold the same weight as written or electronically submitted comments. Although there will not be a formal presentation, Commission staff will be available throughout the comment session to answer your questions about the environmental review process.

Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedures (18 CFR part 385.214). Motions to intervene are more fully described at *http://www.ferc.gov/resources/guides/how-to/intervene.asp.* Only intervenors have the right to seek rehearing or judicial review of the Commission's decision. The Commission grants affected landowners and others with environmental concerns intervenor status upon showing good cause by stating that they have a clear and direct interest in this proceeding which no other party can adequately represent. Simply filing environmental comments will not give you intervenor status, but you do not need intervenor status to have your comments considered.

[1] The appendices referenced in this notice will not appear in the **Federal Register**. Copies of the appendices were sent to all those receiving this notice in the mail and are available at *www.ferc.gov* using the link called ''eLibrary'' or from the Commission's Public Reference Room, 888 First Street NE, Washington, DC 20426, or call (202) 502–8371. For instructions on connecting to eLibrary, refer to the last page of this notice.

Questions?

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208–FERC, or on the FERC website (*www.ferc.gov*) using the eLibrary link. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription that allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: October 26, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–23998 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Number: PR19–9–000.
Applicants: Lobo Pipeline Company LLC.
Description: Tariff filing per 284.123(b)(1)+(g): Certification of Unchanged State Rate Election of Lobo Pipeline Company LLC to be effective 9/30/2018.
Filed Date: 10/18/18.
Accession Number: 201810185042.
Comments Due: 5 p.m. ET 11/8/18.
284.123(g) Protests Due: 5 p.m. ET 12/17/18.

Docket Numbers: RP19–121–000.
Applicants: Bison Pipeline LLC.
Description: § 4(d) Rate Filing: Bison Exit Fees Filing to be effective 11/25/2018.
Filed Date: 10/25/18.
Accession Number: 20181025–5099.
Comments Due: 5 p.m. ET 11/6/18.

Docket Numbers: RP19–122–000.
Applicants: Natural Gas Pipeline Company of America.

Description: § 4(d) Rate Filing: Negotiated Rate Agreement_ CapacityRelease Macquarie to be effective 10/25/2018.
Filed Date: 10/25/18.
Accession Number: 20181025–5110.
Comments Due: 5 p.m. ET 11/6/18.

Docket Numbers: RP19–123–000.
Applicants: Natural Gas Pipeline Company of America.
Description: § 4(d) Rate Filing: Amendment to Negotiated Rate Filing—to be effective 11/1/2018.
Filed Date: 10/26/18.
Accession Number: 20181026–5000.
Comments Due: 5 p.m. ET 11/7/18.

Docket Numbers: RP19–124–000.
Applicants: Algonquin Gas Transmission, LLC.
Description: § 4(d) Rate Filing: Negotiated Rates—Boston Gas 510807 Releases to be effective 11/1/2018.
Filed Date: 10/26/18.
Accession Number: 20181026–5015.
Comments Due: 5 p.m. ET 11/7/18.

Docket Numbers: RP19–125–000.
Applicants: Algonquin Gas Transmission, LLC.
Description: § 4(d) Rate Filing: AGT—Bay State releases effective 11/1/2018.
Filed Date: 10/26/18.
Accession Number: 20181026–5016.
Comments Due: 5 p.m. ET 11/7/18.

Docket Numbers: RP19–126–000.
Applicants: Midwestern Gas Transmission Company.
Description: Compliance filing 2017–2018 Cashout Report.
Filed Date: 10/26/18.
Accession Number: 20181026–5022.
Comments Due: 5 p.m. ET 11/7/18.

Docket Numbers: RP19–127–000.
Applicants: Kern River Gas Transmission Company.
Description: § 4(d) Rate Filing: 2018 Housekeeping to be effective 11/26/2018.
Filed Date: 10/26/18.
Accession Number: 20181026–5049.
Comments Due: 5 p.m. ET 11/7/18.

Docket Numbers: RP19–129–000.
Applicants: Natural Gas Pipeline Company of America.
Description: § 4(d) Rate Filing: Amendment to Negotiated Rate Agreement—Tenaska Marketing Ventures to be effective 11/1/2018.
Filed Date: 10/26/18.
Accession Number: 20181026–5110.
Comments Due: 5 p.m. ET 11/7/18.

Docket Numbers: RP19–130–000.
Applicants: Midwestern Gas Transmission Company.
Description: Compliance filing 2017–2018 Gas Sales and Purchases Report.
Filed Date: 10/26/18.
Accession Number: 20181026–5124.
Comments Due: 5 p.m. ET 11/7/18.

Docket Numbers: RP19–131–000.
Applicants: Viking Gas Transmission Company.
Description: Compliance filing 2017–2018 Gas Sales and Purchases Report.
Filed Date: 10/26/18.
Accession Number: 20181026–5129.
Comments Due: 5 p.m. ET 11/7/18.

Docket Numbers: RP19–132–000.
Applicants: Guardian Pipeline, L.L.C.
Description: Compliance filing 2017–2018 Gas Sales and Purchases Report.
Filed Date: 10/26/18.
Accession Number: 20181026–5133.
Comments Due: 5 p.m. ET 11/7/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified date(s). Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: October 29, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–24026 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL19–7–000]

Notice of Institution of Section 206 Proceeding and Refund Effective Date: Lackawanna Energy Center LLC

On October 29, 2018, the Commission issued an order in Docket No. EL19–7–000, pursuant to section 206 of the Federal Power Act (FPA), 16 U.S.C. 824e (2012), instituting an investigation into whether Lackawanna Energy Center LLC's proposed Rate Schedule may be unjust and unreasonable. *Lackawanna Energy Center LLC,* 165 FERC ¶ 61, 061 (2018).

The refund effective date in Docket No. EL19–7–000, established pursuant to section 206(b) of the FPA, will be the date of publication of this notice in the **Federal Register**.

Any interested person desiring to be heard in Docket No. EL19–7–000 must file a notice of intervention or motion to intervene, as appropriate, with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rule 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.214, within 21 days of the date of issuance of the order.

Dated: October 29, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–23993 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC19–16–000.
Applicants: CPV Towantic, LLC, Osaka Gas USA Corporation.
Description: Application for Authorization under Section 203 of the Federal Power Act, et al. of CPV Towantic, LLC, et al.
Filed Date: 10/26/18.
Accession Number: 20181026–5161.
Comments Due: 5 p.m. ET 11/16/18.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER10–2732–015; ER10–2733–015; ER10–2734–015; ER10–2736–015; ER10–2737–015; ER10–2741–015; ER10–2749–015; ER10–2752–015; ER12–2492–011; ER12–2493–011; ER12–2494–011; ER12–2495–011; ER12–2496–011; ER16–2455–005; ER16–2456–005; ER16–2457–005; ER16–2458–005; ER16–2459–005; ER18–1404–001.
Applicants: Emera Energy Services Inc., Emera Energy U.S. Subsidiary No. 1, Inc., Emera Energy U.S. Subsidiary No. 2, Inc., Emera Energy Services Subsidiary No. 1 LLC, Emera Energy Services Subsidiary No. 2 LLC, Emera Energy Services Subsidiary No. 3 LLC, Emera Energy Services Subsidiary No. 4 LLC, Emera Energy Services Subsidiary No. 5 LLC, Emera Energy Services Subsidiary No. 6 LLC, Emera Energy Services Subsidiary No. 7 LLC, Emera Energy Services Subsidiary No. 8 LLC, Emera Energy Services Subsidiary No. 9 LLC, Emera Energy Services Subsidiary No. 10 LLC, Emera Energy Services

Subsidiary No. 11 LLC, Emera Energy Services Subsidiary No. 12 LLC, Emera Energy Services Subsidiary No. 13 LLC, Emera Energy Services Subsidiary No. 14 LLC, Emera Energy Services Subsidiary No. 15 LLC, NS Power Energy Marketing Inc.

Description: Notice of Change in Status of the Emera Entities.

Filed Date: 10/26/18.

Accession Number: 20181026–5162.

Comments Due: 5 p.m. ET 11/16/18.

Docket Numbers: ER18–1952–002.

Applicants: Gulf Power Company.

Description: Tariff Amendment: Gulf Power Deficiency Filing to be effective 12/31/9998. Also, on October 29, 2108 submitted Market Power Analysis (Excel Spreadsheet).

Filed Date: 10/26/18, 10/29/18.

Accession Number: 20181026–5139; 20181029–5000.

Comments Due: 5 p.m. ET 11/13/18.

Docket Numbers: ER18–2105–001.

Applicants: Arizona Public Service Company.

Description: Compliance filing: Service Agreement No. 218, Amendment No. 1 to be effective 7/1/2018.

Filed Date: 10/26/18.

Accession Number: 20181026–5152.

Comments Due: 5 p.m. ET 11/16/18.

Docket Numbers: ER18–2412–001.

Applicants: Midcontinent Independent System Operator, Inc.

Description: Tariff Amendment: 2018–10–29_SA 3164 LA3 West Baton Rouge-Entergy Louisiana GIA (J683) Sub Orig to be effective 8/27/2018.

Filed Date: 10/29/18.

Accession Number: 20181029–5066.

Comments Due: 5 p.m. ET 11/19/18.

Docket Numbers: ER19–200–000.

Applicants: Northern States Power Company, a Minnesota corporation.

Description: Notice of Cancellation of the Operation and Maintenance Agreement (Rate Schedule No. 499) of Northern States Power Company, a Minnesota corporation.

Filed Date: 10/26/18.

Accession Number: 20181026–5160.

Comments Due: 5 p.m. ET 11/16/18.

Docket Numbers: ER19–201–000.

Applicants: Pacific Gas and Electric Company.

Description: Notice of Termination of Eight Small Generator Interconnection Agreements of Pacific Gas and Electric Company.

Filed Date: 10/26/18.

Accession Number: 20181026–5164.

Comments Due: 5 p.m. ET 11/16/18.

Docket Numbers: ER19–202–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3434R1 East Texas Electric Cooperative NITSA and NOA to be effective 10/1/2018.

Filed Date: 10/29/18.

Accession Number: 20181029–5039.

Comments Due: 5 p.m. ET 11/19/18.

Docket Numbers: ER19–203–000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: 3246R1 Tenaska Power and Montana-Dakota Utilities Att AO to be effective 10/1/2018.

Filed Date: 10/29/18.

Accession Number: 20181029–5046.

Comments Due: 5 p.m. ET 11/19/18.

Docket Numbers: ER19–204–000.

Applicants: Public Service Electric and Gas Company, PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: PSEG submits revisions to OATT, Att. H–10A re: Tax Cut Jobs Act to be effective 1/1/2019.

Filed Date: 10/29/18.

Accession Number: 20181029–5054.

Comments Due: 5 p.m. ET 11/19/18.

Docket Numbers: ER19–205–000.

Applicants: Dearborn Industrial Generation, L.L.C.

Description: Initial rate filing: DIG TSA 205 Filing to be effective 12/28/2018.

Filed Date: 10/29/18.

Accession Number: 20181029–5064.

Comments Due: 5 p.m. ET 11/19/18.

Docket Numbers: ER19–206–000.

Applicants: Alabama Power Company.

Description: § 205(d) Rate Filing: Pinehurst Solar LGIA Filing to be effective 10/15/2018.

Filed Date: 10/29/18.

Accession Number: 20181029–5072.

Comments Due: 5 p.m. ET 11/19/18.

Docket Numbers: ER19–207–000.

Applicants: Xcel Energy Transmission Development Company, LLC.

Description: Request of Xcel Energy Transmission Development Company, LLC for Authorization to Replicate the XETD Formula Rate and Incentives.

Filed Date: 10/26/18.

Accession Number: 20181026–5179.

Comments Due: 5 p.m. ET 11/16/18.

Docket Numbers: ER19–208–000.

Applicants: PacifiCorp.

Description: Tariff Cancellation: Termination of Tri-State Construct Agmt ? Monolith Tap IC to be effective 1/9/2019.

Filed Date: 10/29/18.

Accession Number: 20181029–5100.

Comments Due: 5 p.m. ET 11/19/18.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: October 29, 2018.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2018–24025 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6240–063]

Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process: Watson Associates

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 6240–063.

c. *Date Filed:* August 27, 2018.

d. *Submitted By:* Watson Associates.

e. *Name of Project:* Watson Dam Project.

f. *Location:* On the Cocheco River in Dover, Strafford County, New Hampshire. No federal lands are occupied by the project works or located within the project boundary.

g. *Filed Pursuant to:* 18 CFR 5.3 and 5.5 of the Commission's regulations.

h. Potential *Applicant Contact:* John Webster, Watson Associates, P.O. Box 178, 10 Butler Street, South Berwick, Maine 03908; Phone at (207) 384–5334, or email at *Hydromagnt@gwi.net.*

i. *FERC Contact:* Amy Chang at (202) 502–8250; or *amy.chang@ferc.gov.*

j. Watson Associates filed its request to use the Traditional Licensing Process on August 27, 2018, and provided public notice of the request on September 19, 2018. In a letter dated October 26, 2018, the Director of the Division of Hydropower Licensing

approved Watson Associates' request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402; and NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920. We are also initiating consultation with the New Hampshire State Historic Preservation Officer, as required by section 106 of the National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Watson Associates as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act; and consultation pursuant to section 106 of the National Historic Preservation Act.

m. Watson Associates filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission on August 27, 2018, pursuant to 18 CFR 5.6 of the Commission's regulations. Watson Associates filed a revised PAD with the Commission on October 11, 2018.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.

o. The licensee states its unequivocal intent to submit an application for a subsequent license for Project No. 6240. Pursuant to 18 CFR 16.20, each application for a subsequent license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by August 31, 2021.

p. Register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: October 26, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–23996 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14889–000]

Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications: FreedomWorks, LLC

On August 24, 2018, FreedomWorks, LLC, filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the Big Run Pump Storage Hydro Project to be located near Parsons in Tucker County, West Virginia. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following: (1) A new upper reservoir with a surface area of 1,213 acres and a storage capacity of 119,387 acre-feet at a surface elevation of approximately 3,350 feet above mean sea level (msl) created through construction of a circular dam and/or dike; (2) a new lower reservoir with a surface area of 1,061 acres and a storage capacity of 113,398 acre-feet at a surface elevation of 2,250 feet msl created through construction of a semi-circular dam; (3) as many as four new 7,000-foot-long, 12-foot-diameter penstocks connecting the upper reservoir and lower reservoir; (4) a new 600-foot-long, 50-foot-wide, 25-foot-high powerhouse containing four turbine-generator units with a total rated capacity of 1,000 megawatts; (5) a new transmission line connecting the powerhouse to a nearby electric grid interconnection point with options to evaluate multiple grid interconnection locations; and (6) appurtenant facilities. The proposed project would have an annual generation of 4,380,000 megawatt-hours.

Applicant Contact: Tim Williamson, FreedomWorks, LLC, 525 Wren Lane, Harpers Ferry, WV 25425; phone: 267–254–6107.

FERC Contact: Woohee Choi; phone: (202) 502–6336.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: 60 days from the issuance of this notice. Competing applications and notices of intent must meet the requirements of 18 CFR 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–14889–000.

More information about this project, including a copy of the application, can be viewed or printed on the ''eLibrary'' link of the Commission's website at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number (P–14889) in the docket number field to access the document. For assistance, contact FERC Online Support.

Dated: October 29, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–24000 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2100–188]

California Department of Water Resources; Notice of Application Accepted for Filing, Soliciting Comments, Motions To Intervene, and Protests

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Amendment of Recreation Plan to realign a recreation trail.

b. *Project No.:* 2100–188.

c. *Date Filed:* October 4, 2018.

d. *Applicant:* California Department of Water Resources.

e. *Name of Project:* Feather River Project.

f. *Location:* Feather River in Butte County, California.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a–825r.

h. *Applicant Contact:* Gwen Knittweis, California Department of Water Resources, 1416 Ninth Street, P.O. Box 942836, Sacramento, CA 94236, (916) 557–4554.

i. *FERC Contact:* Krista Sakallaris, (202) 502–6302, *krista.sakallaris@ferc.gov.*

j. Deadline for filing comments, motions to intervene, and protests is November 29, 2018. The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/doc-sfiling/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The first page of any filing should include docket number P–2100–188. Comments emailed to Commission staff are not considered part of the Commission record.

k. *Description of Request:* The licensee requests Commission approval to realign a segment of the Brad Freeman Trail around the Hyatt Powerplant and construct a new trail access point to replace access closed for the Hyatt Security Hardening project. The section of the Brad Freeman Trail proposed for realignment starts near the intersection of Oro Dam Boulevard and Oro Powerhouse Road and extends to the Lower Overlook Parking Area. The proposed location for the new trail access point is on the south side of the Diversion Pool in a disturbed area that was used as a staging site during the emergency response to the 2017 spillway incident. Any comments relating to project relicensing are not within the scope of this public notice and subsequent analysis.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE, Room 2A, Washington, DC 20426, or by calling (202) 502–8371. This filing may also be viewed on the Commission's website at *http://www.ferc.gov/docs-filing/elibrary.asp.* Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call 1–866–208–3676 or email *FERCOnlineSupport@ferc.gov,* for TTY, call (202) 502–8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Comments, Motions to Intervene, or Protests:* Anyone may submit comments, a motion to intervene, or a protest in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, motions to intervene, or protests must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Documents:* Any filing must (1) bear in all capital letters the title ''COMMENTS'', ''PROTEST'', or ''MOTION TO INTERVENE'', as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person commenting, protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, motions to intervene, or protests must set forth their evidentiary basis. Any filing made by an intervenor must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding in accordance with 18 CFR 385.2010.

Dated: October 29, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–23999 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 5261–022]

Notice of Intent To File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process: Green Mountain Power Corporation

a. *Type of Filing:* Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.

b. *Project No.:* 5261–022.

c. *Date Filed:* August 29, 2018.

d. *Submitted By:* Green Mountain Power Corporation.

e. *Name of Project:* Newbury Project.

f. *Location:* On the Wells River in the Town of Newbury, Orange County, Vermont. No federal lands are occupied by the project works or located within the project boundary.

g. *Filed Pursuant to:* 18 CFR 5.3 and 5.5 of the Commission's regulations.

h. *Potential Applicant Contact:* Jason Lisai, Director of Generation Operations, Green Mountain Power Corporation, 163 Acorn Lane, Colchester, VT 05446; (802) 655–8723; email at *Jason.Lisai@greenmountainpower.com.*

i. *FERC Contact:* John Baummer at (202) 502–6837; or *john.baummer@ferc.gov.*

j. Green Mountain Power filed its request to use the Traditional Licensing Process on August 29, 2018, and provided public notice of the request on August 28, 2018. In a letter dated October 26, 2018, the Director of the Division of Hydropower Licensing approved Green Mountain Power's request to use the Traditional Licensing Process.

k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402; and NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920. We are also initiating consultation with the Vermont State Historic Preservation Officer, as required by section 106 of the National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

l. With this notice, we are designating Green Mountain Power as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the

Endangered Species Act; and consultation pursuant to section 106 of the National Historic Preservation Act.

m. Green Mountain Power filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.

n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (*http://www.ferc.gov*), using the eLibrary link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available for inspection and reproduction at 2152 Post Road, Rutland, VT 05701.

o. The licensee states its unequivocal intent to submit an application for a subsequent license for Project No. 5261. Pursuant to 18 CFR 16.20, each application for a subsequent license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by August 31, 2021.

p. Register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: October 26, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–23995 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD19–6–000]

Notice of Availability of Draft Guidance for Horizontal Directional Drill Monitoring, Inadvertent Return Response, and Contingency Plans

The staff of the Office of Energy Projects (OEP) has prepared draft *Guidance for Horizontal Directional Drill Monitoring, Inadvertent Return Response, and Contingency Plans* (HDD Guidance). Commission staff is asking for comments on the draft HDD Guidance from federal and state agencies, environmental consultants, inspectors, the natural gas industry, construction contractors, and other interested parties with special expertise in regards to preparation of HDD monitoring and contingency plans associated with natural gas projects. Please note that this comment period will close on December 28, 2018.

The draft HDD Guidance is available for public viewing on the Federal Energy Regulatory Commission's (FERC or Commission) website (*www.ferc.gov*) using the eLibrary link. Click on the eLibrary link, click on General Search, and enter the docket number excluding the last three digits in the Docket Number field (*i.e.,* AD19–6). Be sure you have selected an appropriate date range.

Applicable sections of the Code of Federal Regulations Title 18 are referenced or summarized throughout the draft HDD Guidance. OEP staff is *not* seeking comment on any existing regulations or contemplating any changes to regulations within the context of the HDD Guidance. Comments pertaining to regulation changes will not be considered as we develop the final HDD Guidance.[1] OEP staff anticipates issuing a final updated version of the HDD Guidance in February 2019. We will consider all timely comments on the draft before issuing the final version.

Interested parties can help us determine appropriate updates and improvements by providing comments or suggestions that focus on the specific sections of the HDD Guidance requiring clarification, updates to reflect current laws and regulations, or additional information that should be included in each resource report. The more specific your comments, the more useful they will be. A detailed explanation of the rationale underlying your suggested modifications and/or any references to scientific studies associated with your comments would greatly help us with this process.

For your convenience, there are three methods you can use to submit your comments to the Commission. In all instances, please reference the docket number (AD19–6–000) with your submission. The Commission encourages electronic filing of comments and has staff available to assist you at *FercOnlineSupport@ferc.gov* or toll free at (866) 208–3676, or for TTY, contact (202) 502–8659.

(1) You can file your comments electronically using the eComment feature on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. This is an easy method for interested persons to submit brief, text-only comments;

(2) You can file your comments electronically using the eFiling feature on the Commission's website (*www.ferc.gov*) under the link to Documents and Filings. With eFiling, you can provide comments in a variety of formats by attaching them as a file with your submission. New eFiling users must first create an account by clicking on eRegister. You must select the type of filing you are making, select Comment on a Filing; or

(3) You can file a paper copy of your comments by mailing them to the following address. Be sure to reference Docket No. AD19–6–000 on your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

All of the information related to the proposed updates to the HDD Guidance and submitted comments can be found on the FERC website (*www.ferc.gov*) using the eLibrary link and docket number (*i.e.,* AD19–6). The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

In addition, the Commission offers a free service called eSubscription which allows you to keep track of all formal issuances and submittals in specific dockets. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Dated: October 26, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–23997 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

[1] The HDD Guidance is covered under the information collection requirements of FERC–577 (OMB Control No. 1902–0108).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP18–89–000]

Notice of Revised Schedule for Environmental Review of the Empire Pipeline, Inc., Empire North Project

This notice identifies the Federal Energy Regulatory Commission staff's revised schedule for the completion of the environmental assessment (EA) for Empire Pipeline, Inc's Empire North Project. The first notice of schedule,

issued on August 17, 2018, identified November 20, 2018 as the EA issuance date. However, staff has received all the information necessary to complete our review. As a result, staff has revised the schedule for issuance of the EA.

Schedule for Environmental Review

Issuance of Notice of Availability of the EA—October 30, 2018
90-day Federal Authorization Decision Deadline—January 28, 2019

If a schedule change becomes necessary, an additional notice will be provided so that the relevant agencies are kept informed of the project's progress.

Additional Information

In order to receive notification of the issuance of the EA and to keep track of all formal issuances and submittals in specific dockets, the Commission offers a free service called eSubscription. This can reduce the amount of time you spend researching proceedings by automatically providing you with notification of these filings, document summaries, and direct links to the documents. Go to *www.ferc.gov/docs-filing/esubscription.asp.*

Additional information about the Project is available from the Commission's Office of External Affairs at (866) 208–FERC or on the FERC website (*www.ferc.gov*). Using the eLibrary link, select General Search from the eLibrary menu, enter the selected date range and Docket Number excluding the last three digits (*i.e.,* CP18–89), and follow the instructions. For assistance with access to eLibrary, the helpline can be reached at (866) 208–3676, TTY (202) 502–8659, or at *FERCOnlineSupport@ferc.gov.* The eLibrary link on the FERC website also provides access to the texts of formal documents issued by the Commission, such as orders, notices, and rule makings.

Dated: October 26, 2018.

Kimberly D. Bose,

Secretary.

[FR Doc. 2018–23992 Filed 11–1–18; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OAR–2018–0279; FRL–9986–01–OAR]

Release of Draft Integrated Review Plan for the Ozone National Ambient Air Quality Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability.

SUMMARY: On or about October 29, 2018, the Environmental Protection Agency (EPA) is making available for public review the draft Integrated Review Plan for the Ozone National Ambient Air Quality Standards (draft IRP). This document contains the draft plans and the anticipated schedule for the current review of the air quality criteria and national ambient air quality standards (NAAQS) for photochemical oxidants including ozone (O_3). The primary and secondary O_3 NAAQS are set to protect the public health and the public welfare from O_3 in ambient air.

DATES: Comments must be received on or before December 3, 2018.

ADDRESSES: Submit your comments and related information, identified by Docket ID No. EPA–HQ–OAR–2018–0279 to the *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. 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 (*e.g.,* on the Web, Cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www2.epa.gov/dockets/commenting-epa-dockets.*

This document will be available on the EPA's website at *https://www.epa.gov/naaqs/ozone-o3-air-quality-standards.* The document will be accessible under ''Planning Documents'' from the current review.

FOR FURTHER INFORMATION CONTACT: Dr. Deirdre L. Murphy, Office of Air Quality Planning and Standards, (Mail Code C504–06), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: 919–541–0729, fax number: 919–541–027; or email: *murphy.deirdre@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

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

1. *Submitting CBI.* Do not submit this information to the EPA through *https://www.regulations.gov* or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on any digital storage media that you mail to the EPA, mark the outside of the digital storage media as CBI and then identify electronically within the digital storage media 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. If you submit any digital storage media that does not contain CBI, mark the outside of the digital storage media clearly that it does not contain CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2. Send or deliver information identified as CBI only to the following address: OAQPS Document Control Officer (C404–02), OAQPS, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina, 27711, Attention Docket ID No. EPA–HQ–OAR–2018–0279.

2. *Tips for Preparing your Comments.* When submitting comments, remember to:

- Identify the notice by docket number and other identifying information (subject heading, **Federal Register** date and page number).
- Follow directions. The agency may ask you to respond to specific questions or organize comments by referencing a CFR part or section number.
- Explain why you agree or disagree; suggest alternative and substitute language for your requested changes.
- Describe any assumption and provide any technical information and/or data that you used.
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- Provide specific examples to illustrate your concerns and suggest alternatives.
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- Make sure to submit your comments by the comment period deadline identified.

II. Information About the Project

Two sections of the Clean Air Act (CAA or the Act) govern the establishment and revision of the NAAQS. Section 108 directs the Administrator to identify and list certain air pollutants and then issue ''air quality criteria'' for those pollutants. The air quality criteria are to ''accurately reflect the latest scientific knowledge useful in indicating the kind and extent of all identifiable effects on public health or welfare which may be expected from the presence of such pollutant in the ambient air . . .'' (CAA section 108(a)(2)). Under section 109 of the Act, the EPA is then to establish primary (health-based) and secondary (welfare-based) NAAQS for each pollutant for which the EPA has issued air quality criteria. Section 109(d)(1) of the Act requires periodic review and, if appropriate, revision of existing air quality criteria. Revised air quality criteria are to reflect advances in scientific knowledge on the effects of the pollutant on public health and welfare. Under the same provision, the EPA is also to periodically review and, if appropriate, revise the NAAQS, based on the revised air quality criteria.

The Act additionally requires appointment of an independent scientific review committee that is to periodically review the existing air quality criteria and NAAQS and to recommend any new standards and revisions of existing criteria and standards as may be appropriate (CAA section 109(d)(2)(A)–(B)). Since the early 1980s, the requirement for an independent scientific review committee has been fulfilled by the Clean Air Scientific Advisory Committee (CASAC).

Presently the EPA is reviewing the air quality criteria and NAAQS for photochemical oxidants and O_3.[1] The draft document announced in this notice is being developed as part of the planning phase for the review. The draft IRP has been prepared jointly by the EPA's National Center for Environmental Assessment, within the Office of Research and Development, and the Office of Air Quality Planning and Standards, within the Office of Air and Radiation. This document will be available on the EPA's website at *https://www.epa.gov/naaqs/ozone-o3-air-quality-standards.* The document will be accessible under ''Planning Documents'' from the current review.

The draft IRP is being made available for consultation with CASAC and for public comment. Comments should be submitted to the docket, as described above, by December 3, 2018. A separate **Federal Register** notice will provide details about this meeting and the process for participation. The final IRP will be prepared in consideration of CASAC and public comments. The draft document announced in this notice presents the draft plan for this review, including the anticipated timeline for the review, the expected process for conducting the review, and the key policy-relevant science issues that are expected to guide the review. This draft document does not represent and should not be construed to represent any final EPA policy, viewpoint, or determination.

Dated: October 29, 2018.

Panagiotis Tsirigotis,

Director, Office of Air Quality Planning and Standards.

[FR Doc. 2018–24037 Filed 11–1–18; 8:45 am]

BILLING CODE 6560–50–P

[1] The EPA's call for information for this review was issued on June 26, 2018 (83 FR 29785).

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9042–1]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202–564–5632 or *https://www.epa.gov/nepa/.*

Weekly receipt of Environmental Impact Statements

Filed 10/22/2018 Through 10/26/2018

Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: *https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search.*

EIS No. 20180258, Final, FERC, LA, Calcasieu Pass Project, *Review Period Ends:* 12/03/2018, *Contact:* Office of External Affairs 866–208–3372.

EIS No. 20180259, Draft, USFS, OR, Ragged Ruby, *Comment Period Ends:* 12/17/2018, *Contact:* Sasha Fertig 541–575–3061.

EIS No. 20180260, Draft Supplement, USFS, ND, Northern Great Plains Management Plans Revision (Dakota Prairie Oil and Gas RFDS SEIS), *Comment Period Ends:* 12/17/2018, *Contact:* Leslie Ferguson 701–989–7308.

EIS No. 20180261, Final, USACE, AK, Nanushuk Project, *Review Period Ends:* 12/03/2018, *Contact:* Ellon Lyons 907–474–2169.

EIS No. 20180262, Final, USFS, AK, Prince of Wales Landscape Level Analysis Project, *Review Period Ends:* 12/17/2018, *Contact:* Delilah Brigham 907–828–3232.

EIS No. 20180263, Draft, FERC, TX, Texas LNG Project, *Comment Period Ends:* 12/17/2018, *Contact*: Office of External Affairs 866–208–3372.

Amended Notices

EIS No. 20180251, Final, NJDEP, NJ, Rebuild by Design (RBD) Meadowlands Flood Control Project, *Review Period Ends:* 11/26/2018, *Contact:* Dennis Reinknecht 609–984–0556 Revision to FR Notice Published 10/26/2018; Correcting Lead Agency from HUD to NJDEP.

Dated: October 29, 2018.

Robert Tomiak,

Director, Office of Federal Activities.

[FR Doc. 2018–23896 Filed 11–1–18; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OPP–2018–0517; FRL–9985–44]

FIFRA Scientific Advisory Panel; Notice of Public Virtual Meeting; Request for Comments on Prospective Ad hoc Candidates

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: There will be a 2-hour preparatory virtual meeting of the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel (FIFRA SAP) on November 14, 2018, to consider and review the scope and clarity of the draft charge questions for the December 4–7, 2018 FIFRA SAP Meeting on the Evaluation of a Proposed Approach to Refine Inhalation Risk Assessment for Point of Contact Toxicity: A Case Study Using a New Approach Methodology (NAM). In addition, EPA is announcing and inviting comments on the experts currently under consideration as ad hoc participants in this review.

DATES: The preparatory virtual meeting will be held on November 14, 2018, from approximately 2 p.m. to 4 p.m. (EST). This is an open public meeting that will be conducted via webcast using Adobe Connect and telephone. Registration is required to participate during this meeting. Please visit: *http://www.epa.gov/sap* to register.

Comments. Requests to make oral comments during the preparatory

virtual meeting should be submitted on or before November 9, 2018 by contacting the Designated Federal Official (DFO) listed under **FOR FURTHER INFORMATION CONTACT**. Written comments on the experts currently under consideration as ad hoc participants in this review should be submitted to the public docket (docket identification (ID) number EPA–HQ–OPP–2018–0517) on or before November 9, 2018. For additional instructions, see Unit I.C. of this document.

Webcast. The preparatory virtual meeting will be conducted by webcast and telephone only. Please refer to the FIFRA SAP website at *http://www.epa.gov/sap* for information on how to register and access the webcast.

Special accommodations. For information on access or services for individuals with disabilities, and to request accommodation of a disability, please contact the DFO listed under **FOR FURTHER INFORMATION CONTACT** at least 10 days prior to the meeting to allow EPA time to process your request.

Comments. Submit your comments, identified by docket identification (ID) number EPA–HQ–OPP–2018–0517, 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: Dr. Shaunta Hill-Hammond, Designated Federal Official, Office of Science Coordination and Policy (7201M), Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: (202) 564–3343; email address: *hill-hammond.shaunta@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

This action is directed to the public in general. This action may be of interest to persons who are or may be required to conduct testing of chemical substances under the Federal Food, Drug, and Cosmetic Act (FFDCA) and FIFRA. Since other entities may also 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 CBI information to EPA through *regulations.gov* or email. If your comments contain any information that you consider to be CBI or otherwise protected, please contact the DFO listed under **FOR FURTHER INFORMATION CONTACT** to obtain special instructions before submitting your comments.

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

C. How may I participate in this meeting?

You may participate in this meeting by following the instructions in this unit. To ensure proper receipt by EPA, it is imperative that you identify docket ID number EPA–HQ–OPP–2018–0517 in the subject line on the first page of your request.

1. *Written comments.* Written comments on the experts currently under consideration as ad hoc participants in this review should be submitted, using the instructions in **FOR FURTHER INFORMATION CONTACT**, on or before November 9, 2018

2. *Oral comments.* Registration is required to participate in the preparatory virtual meeting. Please visit: *http://www.epa.gov.sap* to register. Each individual or group wishing to make brief oral comments to FIFRA SAP during the virtual meeting should submit their request by registering with the DFO listed under **FOR FURTHER INFORMATION CONTACT** on or before noon November 9, 2018. Oral comments before FIFRA SAP are limited to approximately 5 minutes due to the time constraints of this virtual meeting.

II. Background

A. Purpose of FIFRA SAP Preparatory Virtual Meeting

During the preparatory virtual meeting scheduled for November 14, 2018, the FIFRA SAP will review and consider the draft Charge Questions for the Panel's December 4–7, 2018 Meeting on Evaluation of a Proposed Approach to Refine Inhalation Risk Assessment for Point of Contact Toxicity: A Case Study Using a NAM. The SAP will receive a short background briefing including the EPA's history and current position on the methodology being considered. In addition, the panel members will have the opportunity to comment on the scope and clarity of the draft charge questions. Subsequent to this virtual meeting, final charge questions will be provided for the FIFRA SAP's deliberation on the methodology and supplemental information during the in-person meeting to be held December 4–7, 2018.

B. FIFRA SAP Background

FIFRA SAP serves as a primary scientific peer review mechanism of EPA's Office of Chemical Safety and Pollution Prevention (OCSPP) and is structured to provide scientific advice, information and recommendations to the EPA Administrator on pesticides and pesticide-related issues as to the impact of regulatory actions on health and the environment. FIFRA SAP is a Federal advisory committee established in 1975 under FIFRA that operates in accordance with requirements of the Federal Advisory Committee Act (5 U.S.C. Appendix). FIFRA SAP is composed of a permanent panel consisting of seven members who are appointed by the EPA Administrator from nominees provided by the National Institutes of Health and the National Science Foundation. The FIFRA SAP is assisted in their reviews by ad hoc participation from the Science Review Board (SRB). As a scientific peer review mechanism, FIFRA SAP provides comments, evaluations, and recommendations to improve the effectiveness and quality of analyses made by Agency scientists. The FIFRA SAP is not required to reach consensus in its recommendations to the Agency.

C. FIFRA SAP Documents and Meeting Minutes

EPA's background paper, charge/questions to FIFRA SAP, and related supporting materials were made available on September 7, 2018. You may obtain electronic copies of most meeting documents, including the list of experts currently under consideration as ad hoc participants in this review, at *http://www.regulations.gov* and the FIFRA SAP website at *http://www.epa.gov/sap.*

Authority: 7 U.S.C. 136 *et. seq.;* 21 U.S.C. 301 *et seq.*

Dated: October 17, 2018.

Stanley Barone, Jr.,

Acting Director, Office of Science Coordination and Policy.

[FR Doc. 2018–24035 Filed 11–1–18; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–XXXX]

Information Collection Being Reviewed by the Federal Communications Commission

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

DATES: Written PRA comments should be submitted on or before January 2, 2019. 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 *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–XXXX.

Title: Broadcast Incubator Program.

Form Number: N/A.

Type of Review: New information collection.

Respondents: Business or other for-profit entities; not-for-profit institutions; Tribal Governments.

Number of Respondents: 20 respondents; 123 responses.

Estimated Time per Response: 4 to 16 hours.

Frequency of Response: On occasion reporting requirement; annual reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for these collections are contained in 47 U.S.C. 151, 152(a), 154(i), 257, 303, 307–310, and 403.

Total Annual Burden: 1,179 hours.

Total Annual Cost: $326,700.

Privacy Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: The need for confidentiality for this collection of information is not anticipated; however, when submitting an incubation proposal (including the underlying contract and certified statements), applicants may, upon request, redact confidential or proprietary terms.

Needs and Uses: On August 3, 2018, the Commission released a Report and Order (Order), *Rules and Policies to Promote New Entry and Ownership Diversity in the Broadcasting Services,* FCC 18–114, in MB Docket No. 17–289, establishing the requirements that will govern the incubator program that the Commission previously decided to adopt to support the entry of new and diverse voices into the radio broadcast industry. The Commission recognized the need for more innovative approaches to encourage access to capital, as well as technical, operational, and management training for use by new entrants and small businesses, that without assistance, would not be able to own broadcast stations. The incubator program is designed for small businesses, struggling station owners, and new entrants that do not have any other means to access the financial assistance and operational support necessary for success in the broadcast industry. The goal is the pairing of these small aspiring, or struggling, broadcast station owners with established broadcasters. These incubation relationships will provide new entrants and struggling small broadcasters access to the financing, mentoring, and industry connections that are necessary for success in the industry, but to date have been unavailable to many. In return for successfully incubating a small aspiring, or struggling, broadcast station owner as part of the incubator program, an incumbent broadcaster will be eligible to receive a waiver of the Commission's Local Radio Ownership Rule following the conclusion of a successful qualifying incubation relationship. Commission staff will use the initial incubator applications, certification statements, contracts, and any responses to Commission requests for additional information to determine qualifications for participation in the incubator program. Commission staff will use the periodic reports to determine whether ongoing incubation relationships are proceeding in a manner consistent with the parties' initial filings and are likely to result in a successful incubation relationship. In the event the parties seek to extend the duration of their incubation relationship, the filing of a request for such an extension will enable Commission staff to gauge the types of problems incubating parties are experiencing. Information provided by the parties to the Commission no later than six months before the contract termination date will allow Commission staff to evaluate which option for station ownership the incubating parties plan to pursue at the conclusion of the relationship. Additionally, Commission staff will review documentation submitted to seek a reward waiver to assess whether the market where the reward waiver is sought is a comparable market to where the incubated station was located.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2018–24023 Filed 11–1–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0984]

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 comments should be submitted on or before January 2, 2019. 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 below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email: *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: As part of its continuing effort to reduce paperwork burdens, and as required by the PRA, 44 U.S.C. 3501–3520, the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

OMB Control Number: 3060–0984.

Title: 90.175(b)(1), Frequency Coordinator Requirements, Industrial/Business Pool frequencies.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities, and State, local, or tribal government.

Number of Respondents and Responses: 2,700 respondents; 2,700 responses.

Estimated Time per Response: 1 hour.

Frequency of Response: One-time reporting requirement, and third party disclosure requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this collection of information is contained in Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 301, 302(a), 303(g), 303(r), 309, 332(c)(7), 336 and 337.

Total Annual Burden: 2,700 hours.

Total Annual Cost: No cost.

Privacy Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: There is no need for confidentiality with this collection of information.

Needs and Uses: Section 90.175 requires third party disclosures by applicants proposing to operate a land mobile radio station. If they are requesting a frequency that formerly was coordinated exclusively by one industry-specific frequency coordinator, they are required to obtain written concurrence of that frequency coordinator.

On August 18, 2016, the Commission adopted a Notice of Proposed Rulemaking, FCC 16–110, in WP Docket No. 16–261, RM–11719 and RM–11722 (2016 Notice of Proposed Rulemaking), which proposed to amend Part 90 of the Commission's Rules to expand access to private land mobile radio (PLMR) spectrum. Among the many actions taken in the 2016 Spectrum Access NPRM, the Commission proposed to make certain frequencies that are designated for central station alarm operations available for other PLMR uses.

Specifically, the Commission proposed to modify section 95.35(c)(63) to remove the use limitation in the urbanized areas where the frequencies designated for alarm use in urban areas are not in use. The Commission tentatively concluded that it would be in the public interest to make these frequencies available for other PLMR operations in those areas and sought comment on this proposal, including its costs and benefits. The Commission also sought comment on other ways to expand PLMR users' access to frequencies that are designated, but no longer needed, for central station commercial protection services, including by making available channels in urbanized areas where some of the urban frequencies are in use, including: Related costs and benefits associated with such proposals; current and expected future need for central station commercial protection service channels in the 460–470 MHz band; and how to protect incumbent central station commercial protection service operations from harmful interference if eliminating the use restriction on any frequency in any area where it currently is in use.

On October 22, 2018, the Commission issued a Report and Order and Order, FCC 18–143, in WP Docket No. 15–32, RM–11572, WP Docket No. 16–261, RM–11719 and RM–11722 (800/PLMR Access Order), in which it revised certain rules to require applicants for channels currently designated for central station alarm use to obtain the concurrence of the central station alarm frequency coordinator in order to use the channels for uses other than central station alarm operations. This requirement is similar to existing requirements pertaining to certain other channels. The Report and Order and Order did not revise any of the information collection requirements that are contained in this collection but rather added additional frequencies to the list. Therefore, this essentially is adding an additional 200 respondents to this collection.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2018–24021 Filed 11–1–18; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request (OMB Nos. 3064–0111;–0136; and –0171)

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995, invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collections described below (3064–0111, 3064–0136, and 3064–0171).

DATES: Comments must be submitted on or before January 2, 2019.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *https://www.FDIC.gov/regulations/laws/federal.*
- *Email: comments@fdic.gov.* Include the name and number of the collection in the subject line of the message.
- *Mail:* Jennifer Jones (202–898–6768), Counsel, MB–3105, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street Building (located on F Street), on business days between 7:00 a.m. and 5:00 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Jennifer Jones, Counsel, 202–898–6768, *jennjones@fdic.gov,* MB–3105, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION: *Proposal to renew the following currently approved collection of information:*

1. *Title:* Activities and Investments of Insured State Banks.

OMB Number: 3064–0111.

Form Number: None.

Affected Public: Insured state nonmember banks and insured state savings associations.

Burden Estimate:

SUMMARY OF ANNUAL BURDEN

	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response	Frequency of response	Total annual estimated burden
Activities and Investments of Insured State Banks.	Reporting	Mandatory	46	1	8.00	On Occasion	368
Total Hourly Burden.							368 hours

General Description of Collection: Section 24 of the Federal Deposit Insurance (FDI Act), 12 U.S.C. 1831a, limits investments and other activities in which state banks may engage as principal to those permissible for national banks and those approved by the FDIC under procedures set forth in Part 362 of the FDIC's Rules and Regulations, 12 CFR part 362. With certain exceptions, section 24 of the FDI Act limits the direct equity investments of state chartered banks to equity investments that are permissible for national banks. In addition, the statute prohibits an insured state bank from directly engaging, as a principal, in any activity that is not permissible for a national bank, or indirectly through a subsidiary in an activity that is not permissible for a subsidiary of a national bank, unless such bank meets its minimum capital requirements and the FDIC determines that the activity does not pose significant risk to the Deposit Insurance Fund. The FDIC can make such a determination for exception by regulation or by order. The FDIC's implementing regulation for section 24 is 12 CFR part 362. This regulation details the activities that insured state nonmember banks or their subsidiaries may engage in, under certain criteria and conditions, and identifies the information that banks must furnish to the FDIC in order to obtain the FDIC's approval or non-objection. Section 28(a), 12 U.S.C. 1831e, similarly limits the investments and activities of state savings associations and their service corporations to those permitted by federal savings associations and their service corporations, absent FDIC approval.

There is no change in the method or substance of the collection. The overall reduction in burden hours is the result of economic fluctuation. In particular, the number of respondents has decreased while the hours per response and frequency of responses have remained the same.

2. *Title:* Privacy of Consumer Information.

OMB Number: 3064–0136.

Form Number: None.

Affected Public: Insured state nonmember banks and consumers.

Burden Estimate:

SUMMARY OF ANNUAL BURDEN

	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response	Frequency of response	Total annual estimated burden (hours)
Consumer Opt-Out/Status Update.	Reporting	Voluntary	212,432	1	30 min	On Occasion	6,372,960
Annual Notice and Change in Terms.	Third-Party Disclosure.	Mandatory	4,015	1	8	On Occasion	32,120
Initial Notice to Consumers.	Third-Party Disclosure.	Mandatory	208	1	80	On Occasion	16,640

SUMMARY OF ANNUAL BURDEN—Continued

	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response	Frequency of response	Total annual estimated burden (hours)
Opt-Out Notice	Third-Party Disclosure.	Mandatory	866	1	8	On Occasion	6,928
Total Hourly Burden.							6,428,648 hours

General Description of Collection: The elements of this collection are required under sections 503 and 504 of the Gramm-Leach-Bliley Act, 15 U.S.C. 6803, 6804. The collection mandates notice requirements and restrictions on a financial institution's ability to disclose nonpublic personal information about consumers to nonaffiliated third parties.

There is no change in the method or substance of the collection. The hours per response and frequency of responses have remained the same.

3. *Title:* Registration of Mortgage Loan Originators (SAFE Act).

OMB Number: 3064–0171.

Form Number: None.

Affected Public: FDIC Supervised Institutions and Employee Mortgage Loan Originators.

Burden Estimate:

SUMMARY OF ANNUAL BURDEN

	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response	Frequency of response	Total annual estimated burden (hours)
Financial Institution Policies and Procedures for Ensuring Employee-Mortgage Loan Originator Compliance With S.A.F.E. Act Requirements.	Record-keeping.	Mandatory	3,575	1	20 hours	On Occasion	71,500
Financial Institution Procedures to Track and Monitor Compliance with S.A.F.E. Act Compliance.	Record-keeping.	Mandatory	3,575	1	60 hours	On Occasion	214,500
Financial Institution Procedures for the Collection and Maintenance of Employee Mortgage Loan Originator's Criminal History Background Reports.	Record-keeping.	Mandatory	3,575	1	20 hours	On Occasion	71,500
Financial Institution Procedures for Public Disclosure of Mortgage Loan Originator's Unique Identifier.	Third Party Disclosure.	Mandatory	3,575	1	25 hours	On Occasion	89,375
Financial Institution Information Reporting to Registry.	Reporting	Mandatory	3,575	1	15 minutes	On Occasion	893.75
Mortgage Loan Originator Initial and Annual Renewal Registration Reporting and Authorization Requirements.	Reporting	Mandatory	88,646	1	15 minutes	On Occasion	22,161.50
Mortgage Loan Originator Registration Updates Upon Change in Circumstances.	Reporting	Mandatory	38,118	1	15 minutes	On Occasion	9,529.50
Financial Institution Procedures for the Collection of Employee Mortgage Loan Originator's Fingerprints.	Record-keeping.	Mandatory	3,575	1	4 hours	On Occasion	14,300
Mortgage Loan Originator Procedures for Disclosure to Consumers of Unique Identifier.	Third Party Disclosure.	Mandatory	88,646	1	1 hour	On Occasion	88,646
Total Hourly Burden							582,405.75 hours

General Description of Collection: This information collection implements the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE Act) requirement that employees of Federally-regulated institutions who engage in the business of a mortgage loan originator to register with the Nationwide Mortgage Licensing System

and Registry and establishes national licensing and registration requirements. It also directs Federally-regulated institutions to have written policies and procedures in place to ensure that their employees who perform mortgage loan originations comply with the registration and other SAFE Act requirements.

There is no change in the method or substance of the collection. The overall reduction in burden hours is the result of economic fluctuation. In particular, the number of respondents has decreased while the hours per response and frequency of responses have remained the same.

Request for Comment

Comments are invited on: (a) Whether the collections of information are necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collections, 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 collections of information on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Dated at Washington, DC, on October 30, 2018.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2018–23987 Filed 11–1–18; 8:45 am]

BILLING CODE 6714–01–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 November 26, 2018.

A. Federal Reserve Bank of New York (Ivan Hurwitz, Vice President) 33 Liberty Street, New York, New York 10045–0001. Comments can also be sent electronically to *Comments.applications@ny.frb.org*:

1. *Woori Financial Group, Seoul, South Korea;* to become a bank holding company by acquiring voting shares of Woori Bank, Seoul, South Korea, and thereby indirectly acquire shares of Woori America Bank, New York, New York.

B. Federal Reserve Bank of Minneapolis (Mark A. Rauzi, Vice President), 90 Hennepin Avenue, Minneapolis, Minnesota 55480–0291:

1. *Orvet, Inc. and Silver Springs Financial Corp, both of Minneapolis, Minnesota;* to acquire voting shares of Lake Country Community Bank, Morristown, Minnesota.

Board of Governors of the Federal Reserve System, October 29, 2018.

Ann Misback,

Secretary of the Board.

[FR Doc. 2018–23954 Filed 11–1–18; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Notice of Proposals To Engage in or To Acquire Companies Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR part 225) to engage *de novo,* or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than November 19, 2018.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690–1414:

1. *Lee Capital Corp, Fort Madison, Iowa;* to continue engaging in extending credit and servicing loans, pursuant to section 225.28(b)(1) of Regulation Y.

Board of Governors of the Federal Reserve System, October 29, 2018.

Ann Misback,

Secretary of the Board.

[FR Doc. 2018–23953 Filed 11–1–18; 8:45 am]

BILLING CODE P

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Meeting of the Employee Thrift Advisory Council

The Employee Thrift Advisory Council will meet Thursday, November 8, 2018 at 1 p.m. (In-Person) at 77 K Street NE, Washington, DC 20002. The agenda for the meeting is:

1. Approval of the minutes of the May 30, 2018 Joint Board/ETAC meeting
2. Thrift Savings Plan Statistics
3. FY18 FRTIB Budget Update
4. Auto Enrollment Update
5. Blended Retirement Update
6. Additional Withdrawals Update
7. Call Center Enhancement
8. L Funds Glide Path
9. New Business

Contact Person For More Information: Kimberly Weaver, Director, Office of External Affairs, (202) 942–1640.

Dated: October 30, 2018.

Dharmesh Vashee,

Deputy General Counsel, Federal Retirement Thrift Investment Board.

[FR Doc. 2018–24001 Filed 11–1–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Advisory Board on Radiation and Worker Health (ABRWH or the Advisory Board), National Institute for Occupational Safety and Health (NIOSH)

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, the CDC announces the following meeting of the Advisory Board on Radiation and Worker Health (ABRWH). This meeting is open to the public, limited only by the space available. The meeting space accommodates approximately 150 people and the audio conference line has 150 ports for callers. The public is welcome to submit written comments in advance of the meeting, to the contact person below. Written comments received in advance of the meeting will be included in the official record of the meeting. The public is also welcome to listen to the meeting by joining the teleconference (information below).

DATES: The meeting will be held on December 12, 2018 from 8:30 a.m. to 5:30 p.m., PST, and December 13, 2018, 8:15 a.m. to 2:30 p.m., PST. A public comment session will be held on December 12, 2018 at 5:30 p.m. and conclude at 6:30 p.m. or following the final call for public comment, whichever comes first.

ADDRESSES: Crowne Plaza, 300 North Harbor Drive, Redondo Beach, California 90272; Phone: (310) 318–8888, Fax: (310) 376–1930 and audio conference call via FTS Conferencing. The USA toll-free dial-in number is 1–866–659–0537; the pass code is 9933701. Web conference by Skype: Meeting CONNECTION: *https://webconf.cdc.gov/zab6/yzdq02pl?sl=1.*

FOR FURTHER INFORMATION CONTACT: Theodore Katz, MPA, Designated Federal Officer, NIOSH, CDC, 1600 Clifton Road, Mailstop E–20, Atlanta, Georgia 30329, Telephone (513) 533–6800, Toll Free 1 (800) CDC–INFO, Email *ocas@cdc.gov.* .

SUPPLEMENTARY INFORMATION:

Background: The Advisory Board was established under the Energy Employees Occupational Illness Compensation Program Act of 2000 to advise the President on a variety of policy and technical functions required to implement and effectively manage the new compensation program. Key functions of the Advisory Board include providing advice on the development of probability of causation guidelines which have been promulgated by the Department of Health and Human Services (HHS) as a final rule, advice on methods of dose reconstruction which have also been promulgated by HHS as a final rule, advice on the scientific validity and quality of dose estimation and reconstruction efforts being performed for purposes of the compensation program, and advice on petitions to add classes of workers to the Special Exposure Cohort (SEC). In December 2000, the President delegated responsibility for funding, staffing, and operating the Advisory Board to HHS, which subsequently delegated this authority to the CDC. NIOSH implements this responsibility for CDC.

The Advisory Board's charter was issued on August 3, 2001, renewed at appropriate intervals, rechartered under Executive Order 13811 on February 12, 2018, and will terminate on September 30, 2019.

Purpose: This Advisory Board is charged with (a) providing advice to the Secretary, HHS, on the development of guidelines under Executive Order 13179; (b) providing advice to the Secretary, HHS, on the scientific validity and quality of dose reconstruction efforts performed for this program; and (c) upon request by the Secretary, HHS, advising the Secretary on whether there is a class of employees at any Department of Energy facility who were exposed to radiation but for whom it is not feasible to estimate their radiation dose, and on whether there is reasonable likelihood that such radiation doses may have endangered the health of members of this class.

Matters to be Considered: The agenda will include discussions on the following: NIOSH Program Update; Department of Labor Program Update; Department of Energy Program Update; SEC Petitions Update; possible discussion of a site profile review (dose reconstruction methods) for Carborundum Company (Niagara Falls, New York); SEC Petitions for: Y–12 Plant (Oak Ridge, Tennessee), Metals and Controls Corporation (Attleboro, Massachusetts, Area IV Santa Susanna Field Laboratory (Ventura County, California), DeSoto Avenue Facility (Los Angeles, California), Superior Steel Company (Carnegie, Pennsylvania), and Los Alamos National Laboratory (Los Alamos, New Mexico); and a Board Work Session. Agenda items are subject to change as priorities dictate.

The Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Sherri A. Berger,

Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2018–23975 Filed 11–1–18; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention Board of Scientific Counselors, National Center for Injury Prevention and Control, (BSC, NCIPC)

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, the CDC announces the following meeting for the Board of Scientific Counselors, National Center for Injury Prevention and Control, (BSC, NCIPC). This meeting is open to the public limited only by the space and ports available. The meeting room accommodates 70 participants and there will be 75 ports available. Due to the limited availability of phone line ports, we are encouraging the pubic to please register using the link provided: Register Here. There will be a public comment period at the end of the day from 03:30 p.m.—04:00 p.m.

DATES: The meeting will be held on December 12, 2018, 09:00 a.m. to 04:30 p.m., EST.

ADDRESSES: Center for Disease Control and Prevention, Chamblee Campus, Building 106, Conference Room 1–A, 4770 Buford Highway, Atlanta, Georgia 30341 and via Teleconference: Dial-In Number: 1–888–780–9652, Participant Code: 8435823.

FOR FURTHER INFORMATION CONTACT: Gwendolyn H. Cattledge, Ph.D., M.S.E.H., Deputy Associate Director for Science, NCIPC, CDC, 4770 Buford Highway, NE, Mailstop F–63, Atlanta, GA 30341, Telephone (770) 488–1430. Email address: *ncipcbsc@cdc.gov*

SUPPLEMENTARY INFORMATION:

Purpose: The Board will: (1) Conduct, encourage, cooperate with, and assist other appropriate public health authorities, scientific institutions, and scientists in the conduct of research, investigations, experiments, demonstrations, and studies relating to

the causes, diagnosis, treatment, control, and prevention of physical and mental diseases, and other impairments; (2) assist States and their political subdivisions in preventing and suppressing communicable and non-communicable diseases and other preventable conditions and in promoting health and well-being; and (3) conduct and assist in research and control activities related to injury. The Board of Scientific Counselors makes recommendations regarding policies, strategies, objectives, and priorities; and reviews progress toward injury prevention goals and provides evidence in injury prevention-related research and programs. The Board also provides advice on the appropriate balance of intramural and extramural research, the structure, progress and performance of intramural programs. The Board is designed to provide guidance on extramural scientific program matters, including the: (1) Review of extramural research concepts for funding opportunity announcements; (2) conduct of Secondary Peer Review of extramural research grants, cooperative agreements, and contracts applications received in response to the funding opportunity announcements as it relates to the Center's programmatic balance and mission; (3) submission of secondary review recommendations to the Center Director of applications to be considered for funding support; (4) review of research portfolios, and (5) review of program proposals.

Matters to be Considered: The Board of Scientific Counselors will discuss science matters to include research strategies needed to guide the Center's focus on reducing opioid overdose and to review the recommendations from the opioid prescribing for acute and chronic pain workgroup. Agenda items are subject to change as priorities dictate.

The Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Sherri Berger,

Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2018–23976 Filed 11–1–18; 8:45 am]

BILLING CODE 4163–19–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Advisory Council for the Elimination of Tuberculosis Meeting (ACET)

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, the CDC announces the following meeting of the Advisory Council for the Elimination of Tuberculosis Meeting (ACET). This meeting is open to the public, limited only by the space available. The meeting room accommodates approximately 80 people and has 100 ports for audio phone lines. Time will be available for public comment. The public is welcome to submit written comments in advance of the meeting. Comments should be submitted in writing by email to the contact person listed below. The deadline for receipt is Monday, December 10, 2018. Persons who desire to make an oral statement, may request it at the time of the public comment period on December 12, 2018 at 11:40 a.m., EST.

DATES: The meeting will be held on December 11, 2018, 8:30 a.m. to 4:30 p.m., EST and December 12, 2018, 8:30 a.m. to 12:00 p.m., EST.

ADDRESSES: 8 Corporate Blvd., Building 8, Conference Rooms 1–A/B/C, Atlanta, Georgia, 30329 and Web conference: 1–877–927–1433 and participant passcode: 12016435 and *https://adobeconnect.cdc.gov/r5p8l2tytpq/.*

FOR FURTHER INFORMATION CONTACT: Margie Scott-Cseh, Committee Management Specialist, CDC, 1600 Clifton Road, NE, Mailstop: E–07, Atlanta, Georgia, 30333, telephone (404) 639–8317; *zkr7@cdc.gov.*

SUPPLEMENTARY INFORMATION:

Purpose: This Council advises and makes recommendations to the Secretary of Health and Human Services, the Assistant Secretary for Health, and the Director, CDC, regarding the elimination of tuberculosis. Specifically, the Council makes recommendations regarding policies, strategies, objectives, and priorities; addresses the development and application of new technologies; and reviews the extent to which progress has been made toward eliminating tuberculosis.

Matters to be Considered: The agenda will include discussions on (1) Division of Tuberculosis Elimination (DTBE) funded Demonstration Project on Latent Tuberculosis Infection (LTBI) Testing and Treatment; (2) DTBE Communications Messaging and Campaigns; (3) Update on LTBI Treatment Guidelines; (4) Update on Drug Resistant Tuberculosis Guidelines; and (5) Update from ACET workgroups. Agenda items are subject to change as priorities dictate.

The Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Sherri Berger,

Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2018–23974 Filed 11–1–18; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–3371–PN]

Medicare and Medicaid Programs: Accreditation Commission for Health Care, Inc (ACHC) for Approval of its End Stage Renal Disease (ESRD) Facility Accreditation Program

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice with request for comment.

SUMMARY: This proposed notice acknowledges the receipt of an application from the Accreditation Commission for Health Care, Inc., for recognition as a national accrediting organization for End Stage Renal Disease Facilities that wish to participate in the Medicare or Medicaid programs.

DATES: To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on December 3, 2018.

ADDRESSES: In commenting, refer to file code CMS–3371–PN. Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission.

Comments, including mass comment submissions, must be submitted in one of the following three ways (please choose only one of the ways listed):

1. *Electronically.* You may submit electronic comments on this regulation to *http://www.regulations.gov.* Follow the ''Submit a comment'' instructions.

2. *By regular mail.* You may mail written comments to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS–3371–PN, P.O. Box 8010, Baltimore, MD 21244–8010.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS–3371–PN, Mail Stop C4–26–05, 7500 Security Boulevard, Baltimore, MD 21244–1850.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Monda Shaver, (410) 786–3410, Joann Fitzell, (410) 786–4280, or Renee Henry, (410) 786–7828.

SUPPLEMENTARY INFORMATION:

Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. We post all comments received before the close of the comment period on the following website as soon as possible after they have been received: *http://www.regulations.gov.* Follow the search instructions on that website to view public comments.

I. Background

Under the Medicare program, eligible beneficiaries may receive covered services from an end-stage renal disease (ESRD) facility provided the facility meets the requirements established by the Secretary of the Department of Health and Human Services (the Secretary). Section 1881(b) of the Social Security Act (the Act) establishes distinct requirements for facilities seeking designation as an ESRD facility under Medicare. Regulations concerning provider agreements and supplier approval are at 42 CFR part 489 and those pertaining to activities relating to the survey, certification, and enforcement procedures of suppliers which include ESRD facilities are at 42 CFR part 488. The regulations at 42 CFR part 494 subparts A through D implement section 1881(b) of the Act, which specify the conditions that an ESRD facility must meet in order to participate in the Medicare program and the conditions for Medicare payment for ESRD facilities.

Generally, to enter into a Medicare agreement, an ESRD facility must first be certified by a State survey agency (SA) as complying with the conditions or requirements set forth in part 494 subparts A through D of our Medicare regulations. Thereafter, the ESRD facility is subject to regular surveys by a SA to determine whether it continues to meet these requirements.

Section 1865(a)(1) of the Act provides that, if a provider entity demonstrates through accreditation by a Centers for Medicare & Medicaid Services (CMS) approved national accrediting organization (AO) that all applicable Medicare conditions are met or exceeded, we may deem those provider entities as having met the requirements. Section 1865(a)(1) of the Act had historically excluded dialysis facilities from participating in Medicare via a CMS-approved accreditation program; however, section 50404 of the Bipartisan Budget Act of 2018 amended section 1865(a) of the Act to include renal dialysis facilities as provider entities allowed to participate in Medicare through a CMS-approved accreditation program. Accreditation by an AO is voluntary and is not required for Medicare participation.

If an AO is recognized by the Secretary as having standards for accreditation that meet or exceed Medicare requirements, any provider entity accredited by the national accrediting body's approved program may be deemed to meet the Medicare conditions. An AO applying for approval of its accreditation program under part 488, subpart A, must provide CMS with reasonable assurance that the AO requires the accredited provider entities to meet requirements that are at least as stringent as the Medicare conditions. Our regulations concerning the approval of AOs are set forth at § 488.5.

II. Provisions of the Proposed Notice

A. Approval of Deeming Organizations

Section 1865(a)(2) of the Act and our regulations at § 488.5 require that our findings concerning review and approval of an AO's requirements consider, among other factors, the applying AO's requirements for accreditation; survey procedures; resources for conducting required surveys; capacity to furnish information for use in enforcement activities; monitoring procedures for provider entities found not in compliance with the conditions or requirements; and ability to provide CMS with the necessary data for validation.

Section 1865(a)(3)(A) of the Act further requires that we publish, within 60 days of receipt of an organization's complete application, a notice identifying the national accrediting body making the request, describing the nature of the request, and providing at least a 30-day public comment period. We have 210 days from the receipt of a complete application to publish notice of approval or denial of the application.

The purpose of this proposed notice is to inform the public of Accreditation Commission for Health Care, Inc.'s (ACHC's) request for CMS-approval of its ESRD facility accreditation program. This notice also solicits public comment on whether ACHC's requirements meet or exceed the Medicare conditions for coverage (CfCs) for ESRD facilities.

B. Evaluation of Deeming Authority Request

ACHC submitted all the necessary materials to enable us to make a determination concerning its request for CMS-approval of its ESRD facility accreditation program. This application was determined to be complete on September 13, 2018. Under section 1865(a)(2) of the Act and regulations at § 488.5, our review and evaluation of ACHC will be conducted in accordance with, but not necessarily limited to, the following factors:

- The equivalency of ACHC's standards for ESRD facilities as compared with Medicare's CfCs for ESRD facilities.
- ACHC's survey process to determine the following:

++ The composition of the survey team, surveyor qualifications, and the ability of the organization to provide continuing surveyor training.

++ The comparability of ACHC's processes to those of State agencies, including survey frequency, and the ability to investigate and respond appropriately to complaints against accredited facilities.

++ ACHC's processes and procedures for monitoring an ESRD facility found out of compliance with ACHC's program requirements. These monitoring procedures are used only when ACHC identifies noncompliance. If noncompliance is identified through validation reviews or complaint surveys, the State survey agency monitors corrections as specified at § 488.9(c)(1).

++ ACHC's capacity to report deficiencies to the surveyed facilities and respond to the facility's plan of correction in a timely manner.

++ ACHC's capacity to provide CMS with electronic data and reports necessary for effective validation and assessment of the organization's survey process.

++ The adequacy of ACHC's staff and other resources, and its financial viability.

++ ACHC's capacity to adequately fund required surveys.

++ ACHC's policies with respect to whether surveys are announced or unannounced, to assure that surveys are unannounced.

++ ACHC's agreement to provide CMS with a copy of the most current accreditation survey together with any other information related to the survey as CMS may require (including corrective action plans).

III. Collection of Information Requirements

This document does not impose information collection requirements, that is, reporting, recordkeeping or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

IV. Response to Public Comments

Because of the large number of public comments we normally receive on **Federal Register** documents, we are not able to acknowledge or respond to them individually. We will consider all comments we receive by the date and time specified in the **DATES** section of this preamble, and, when we proceed with a subsequent document, we will respond to the comments in the preamble to that document.

Upon completion of our evaluation, including evaluation of comments received as a result of this notice, we will publish a final notice in the **Federal Register** announcing the result of our evaluation.

Dated: October 19, 2018.

Seema Verma,

Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 2018–23925 Filed 11–1–18; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–9111–N]

Medicare and Medicaid Programs; Quarterly Listing of Program Issuances—July Through September 2018

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This quarterly notice lists CMS manual instructions, substantive and interpretive regulations, and other **Federal Register** notices that were published from July through September 2018, relating to the Medicare and Medicaid programs and other programs administered by CMS.

FOR FURTHER INFORMATION CONTACT: It is possible that an interested party may need specific information and not be able to determine from the listed information whether the issuance or regulation would fulfill that need. Consequently, we are providing contact persons to answer general questions concerning each of the addenda published in this notice.

Addenda	Contact	Phone Number
I CMS Manual Instructions	Ismael Torres	(410) 786-1864
II Regulation Documents Published in the **Federal Register**	Terri Plumb	(410) 786-4481
III CMS Rulings	Tiffany Lafferty	(410)786-7548
IV Medicare National Coverage Determinations	Wanda Belle, MPA	(410) 786-7491
V FDA-Approved Category B IDEs	John Manlove	(410) 786-6877
VI Collections of Information	William Parham	(410) 786-4669
VII Medicare –Approved Carotid Stent Facilities	Sarah Fulton, MHS	(410) 786-2749
VIII American College of Cardiology-National Cardiovascular Data Registry Sites	Sarah Fulton, MHS	(410) 786-2749
IX Medicare's Active Coverage-Related Guidance Documents	JoAnna Baldwin, MS	(410) 786-7205
X One-time Notices Regarding National Coverage Provisions	JoAnna Baldwin, MS	(410) 786-7205
XI National Oncologic Positron Emission Tomography Registry Sites	Stuart Caplan, RN, MAS	(410) 786-8564
XII Medicare-Approved Ventricular Assist Device (Destination Therapy) Facilities	David Dolan	(410) 786-3365
XIII Medicare-Approved Lung Volume Reduction Surgery Facilities	Sarah Fulton, MHS	(410) 786-2749
XIV Medicare-Approved Bariatric Surgery Facilities	Sarah Fulton, MHS	(410) 786-2749
XV Fluorodeoxyglucose Positron Emission Tomography for Dementia Trials	Stuart Caplan, RN, MAS	(410) 786-8564
All Other Information	Annette Brewer	(410) 786-6580

SUPPLEMENTARY INFORMATION:

I. Background

The Centers for Medicare & Medicaid Services (CMS) is responsible for administering the Medicare and Medicaid programs and coordination and oversight of private health insurance. Administration and oversight of these programs involves the following: (1) Furnishing information to Medicare and Medicaid beneficiaries, health care providers, and the public; and (2) maintaining effective communications with CMS regional offices, state governments, state Medicaid agencies, state survey agencies, various providers of health care, all Medicare contractors that process claims and pay bills, National Association of Insurance Commissioners (NAIC), health insurers, and other stakeholders. To implement the various statutes on which the programs are based, we issue regulations under the authority granted to the Secretary of the Department of Health and Human Services under sections 1102, 1871, 1902, and related provisions of the Social Security Act (the Act) and Public Health Service Act. We also issue various manuals, memoranda, and statements necessary to administer and oversee the programs efficiently.

Section 1871(c) of the Act requires that we publish a list of all Medicare manual instructions, interpretive rules, statements of policy, and guidelines of general applicability not issued as regulations at least every 3 months in the **Federal Register**.

II. Format for the Quarterly Issuance Notices

This quarterly notice provides only the specific updates that have occurred in the 3-month period along with a hyperlink to the full listing that is available on the CMS website or the appropriate data registries that are used as our resources. This is the most current up-to-date information and will be available earlier than we publish our quarterly notice. We believe the website list provides more timely access for beneficiaries, providers, and suppliers. We also believe the website offers a more convenient tool for the public to find the full list of qualified providers for these specific services and offers more flexibility and ''real time'' accessibility. In addition, many of the websites have listservs; that is, the public can subscribe and receive immediate notification of any updates to the website. These listservs avoid the need to check the website, as notification of updates is automatic and sent to the subscriber as they occur. If assessing a website proves to be difficult, the contact person listed can provide information.

III. How To Use the Notice

This notice is organized into 15 addenda so that a reader may access the subjects published during the quarter covered by the notice to determine whether any are of particular interest. We expect this notice to be used in concert with previously published notices. Those unfamiliar with a description of our Medicare manuals should view the manuals at *http://www.cms.gov/manuals.*

Dated: October 22, 2018.

Kathleen Cantwell,

Director, Office of Strategic Operations and Regulatory Affairs.

BILLING CODE 4120–01–P

Publication Dates for the Previous Four Quarterly Notices

We publish this notice at the end of each quarter reflecting information released by CMS during the previous quarter. The publication dates of the previous four Quarterly Listing of Program Issuances notices are: October 27, 2017 (82 FR 49819), January 26, 2018 (83 FR 3716), May 4, 2018 (83 FR 19769) and August 13, 2018 (83 FR 40043). We are providing only the specific updates that have occurred in the 3-month period along with a hyperlink to the website to access this information and a contact person for questions or additional information.

Addendum I: Medicare and Medicaid Manual Instructions (July through September 2018)

The CMS Manual System is used by CMS program components, partners, providers, contractors, Medicare Advantage organizations, and State Survey Agencies to administer CMS programs. It offers day-to-day operating instructions, policies, and procedures based on statutes and regulations, guidelines, models, and directives. In 2003, we transformed the CMS Program Manuals into a web user-friendly presentation and renamed it the CMS Online Manual System.

How to Obtain Manuals

The Internet-only Manuals (IOMs) are a replica of the Agency's official record copy. Paper-based manuals are CMS manuals that were officially released in hardcopy. The majority of these manuals were transferred into the Internet-only manual (IOM) or retired. Pub 15-1, Pub 15-2 and Pub 45 are exceptions to this rule and are still active paper-based manuals. The remaining paper-based manuals are for reference purposes only. If you notice policy contained in the paper-based manuals that was not transferred to the IOM, send a message via the CMS Feedback tool.

Those wishing to subscribe to old versions of CMS manuals should contact the National Technical Information Service, Department of Commerce, 5301 Shawnee Road, Alexandria, VA 22312 Telephone (703-605-6050). You can download copies of the listed material free of charge at: http://cms.gov/manuals.

How to Review Transmittals or Program Memoranda

Those wishing to review transmittals and program memoranda can access this information at a local Federal Depository Library (FDL). Under the FDL program, government publications are sent to approximately 1,400 designated libraries throughout the United States. Some FDLs may have arrangements to transfer material to a local library not designated as an FDL. Contact any library to locate the nearest FDL. This information is available at http://www.gpo.gov/libraries/

In addition, individuals may contact regional depository libraries that receive and retain at least one copy of most federal government publications, either in printed or microfilm form, for use by the general public. These libraries provide reference services and interlibrary loans; however, they are not sales outlets. Individuals may obtain information about the location of the nearest regional depository library from any library. CMS publication and transmittal numbers are shown in the listing entitled Medicare and Medicaid Manual Instructions. To help FDLs locate the materials, use the CMS publication and transmittal numbers. For example, to find the manual for Electronic Correspondence Referral System (ECRS) Enhanced Functionality, use (CMS-Pub. 100-05) Transmittal No. 122.

Addendum I lists a unique CMS transmittal number for each instruction in our manuals or program memoranda and its subject number. A transmittal may consist of a single or multiple instruction(s). Often, it is necessary to use information in a transmittal in conjunction with information currently in the manual. For the purposes of this quarterly notice, we list only the specific updates to the list of manual instructions that have occurred in the 3-month period. This information is available on our website at www.cms.gov/Manuals.

Transmittal Number	Manual/Subject/Publication Number
Medicare General Information (CMS-Pub. 100-01)	
117	Analysis to Expand All Monetary Amount Fields related to Billing and Payment to Accommodate 10 Digits in Length ($99,999,999.99)
Medicare Benefit Policy (CMS-Pub. 100-02)	
244	Internet Only Manual (IOM) Update to Publication 100-02, Chapter End Stage Renal Disease (ESRD), Section 100
245	System Changes to Implement Epoetin Alfa Biosimilar, Retacrit for End Stage Renal Disease (ESRD) and Acute Kidney Injury (AKI) Claims
246	Manual Updates Related to Payment Policy Changes Affecting the Hospice Aggregate Cap Calculation and the Designation of Hospice Attending Physicians
Medicare National Coverage Determination (CMS-Pub. 100-03)	
	None
Medicare Claims Processing (CMS-Pub. 100-04)	
4083	Quarterly Healthcare Common Procedure Coding System (HCPCS) Drug/Biological Code Changes - July 2018 Update
4084	Medicare Part A Skilled Nursing Facility (SNF) Prospective Payment System (PPS) Pricer Update FY 2019

4085	Medicare Part A Skilled Nursing Facility (SNF) Prospective Payment System (PPS) Pricer Update FY 2019
4086	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
4087	New Physician Specialty Code for Undersea and Hyperbaric Medicine Physician Specialty Codes
4088	Update to the Internet Only Manual (IOM) Publication 100-04 - Medicare Claims Processing Manual, Chapter 27 - Contractor Instructions for Common Working File (CWF) Change Control Procedures Processing Disposition and Error Codes
4089	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4090	Quarterly Update for Clinical Laboratory Fee Schedule and Laboratory Services Subject to Reasonable Charge Payment
4091	New Waived Tests
4092	Changes to the Laboratory National Coverage Determination (NCD) Edit Software for October 2018
4093	October Quarterly Update to 2018 Annual Update of HCPCS Codes Used for Skilled Nursing Facility (SNF) Consolidated Billing (CB) Enforcement
4094	File Conversions Related to the Spanish Translation of the Healthcare Common Procedure Coding System (HCPCS) Descriptions
4095	File Conversions Related to the Spanish Translation of the Healthcare Common Procedure Coding System (HCPCS) Descriptions
4096	Update to the Medicare Claims Processing Manual, Chapter 24, Section 90
4097	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4098	Update to the Fiscal Intermediary Shared Systems (FISS) Outpatient Provider Specific File (OPSF) for Outpatient Prospective Payment System (OPPS) Hospitals and OPPS Pricer Interface
4099	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4100	Quarterly Influenza Virus Vaccine Code Update - January 2019
4101	Inpatient Rehabilitation Facility (IRF) Annual Update: Prospective Payment System (PPS) Pricer Changes for FY 2019
4102	Updates to the Medicare Claims Processing Manual, Chapter 24, ASCA Waiver Review Form of Letters, Exhibits A-H
4103	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4104	Inpatient Psychiatric Facilities Prospective Payment System (IPF PPS) Updates for Fiscal Year (FY) 2019
4105	System Changes to Implement Epoetin Alfa Biosimilar, Retacrit for End Stage Renal Disease (ESRD) and Acute Kidney Injury (AKI) Claims
4106	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
4107	October 2018 Quarterly Average Sales Price (ASP) Medicare Part B Drug Pricing Files and Revisions to Prior Quarterly Pricing Files
4108	October Quarterly Update for 2018 Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Fee Schedule
4109	October Quarterly Update for 2018 Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Fee Schedule
4110	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4111	Revisions to Medicare Claims Processing Manual for Foreign, Emergency and Shipboard Claims
4112	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
4113	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4114	Quarterly Healthcare Common Procedure Coding System (HCPCS) Drug/Biological Code Changes - October 2018 Update
4115	Claim Status Category and Claim Status Codes Update
4116	Healthcare Provider Taxonomy Codes (HPTCs) October 2018 Code Set Update
4117	Implement Operating Rules - Phase III Electronic Remittance Advice (ERA) Electronic Funds Transfer (EFT): Committee on Operating Rules for Information Exchange (CORE) 360 Uniform Use of Claim Adjustment Reason Codes (CARC), Remittance Advice Remark Codes (RARC) and Claim Adjustment Group Code (CAGC) Rule - Update from Council for Affordable Quality Healthcare (CAQH) CORE
4118	Combined Common Edits/Enhancements Modules (CCEM) Code Set Update
4119	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
4120	Instructions for Downloading the Medicare ZIP Code File for January 2019
4121	2019 Healthcare Common Procedure Coding System (HCPCS) Annual Update Reminder
4122	October 2018 Integrated Outpatient Code Editor (I/OCE) Specifications Version 19.3
4123	October 2018 Update of the Hospital Outpatient Prospective Payment System (OPPS)
4124	Influenza Vaccine Payment Allowances - Annual Update for 2018-2019 Season
4125	October 2018 Update of the Ambulatory Surgical Center (ASC) Payment System
4126	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4127	Quarterly Influenza Virus Vaccine Code Update - January 2019
4128	Annual Clotting Factor Furnishing Fee Update 2019
4129	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
4130	Update to the Medicare Claims Processing Manual, Chapter 23, Section 60.3
4131	Updates to Chapter 23 Fee File Instructions
4132	Instructions for Retrieving the January 2019 Medicare Physician Fee Schedule Database (MPFSDB) Files Through the CMS Mainframe Telecommunications System
4133	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4134	Quarterly Healthcare Common Procedure Coding System (HCPCS)

	Drug/Biological Code Changes - October 2018 Update
4135	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4136	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
4137	New Waived Tests
4138	Quarterly Update for the Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Competitive Bidding Program (CBP) - October 2018
4139	Changes to the Laboratory National Coverage Determination (NCD) Edit Software for January 2019
4140	Updates to Chapter 1 Payer Only Codes in the Medicare Claims Processing Manual
4141	Quarterly Influenza Virus Vaccine Code Update - January 2019
4142	2019 Annual Update for the Health Professional Shortage Area (HPSA) Bonus Payments
Medicare Secondary Payer (CMS-Pub. 100-05)	
122	Electronic Correspondence Referral System (ECRS) Enhanced Functionality
123	Updating Language to Clarify for Providers Chapter 3, Section 20 and Chapter 5, Section 70 of the Medicare Secondary Payer Manual
124	Updates to Chapters 5 and 6 of Publication 100-05 to Further Clarify Medicare Secondary Payer (MSP) Processes that Include Electronic Correspondence Referral System (ECRS) Requests Submissions and Timely Submission of MSP I Records, General Inquiries and Hospital Reviews
Medicare Financial Management (CMS-Pub. 100-06)	
305	Notice of New Interest Rate for Medicare Overpayments and Underpayments –4th Qtr Notification for FY 2018
306	New Physician Specialty Code for Undersea and Hyperbaric Medicine
Medicare State Operations Manual (CMS-Pub. 100-07)	
179	Revisions to the State Operations Manual (SOM) Chapter Two for Organ Procurement Organizations (OPOs)
180	Revisions to the State Operations Manual (SOM) Appendix Y, Organ Procurement Organization (OPO) Interpretive Guidance
181	Revisions to State Operations Manual, Chapter 2, Certification Process
182	Revisions to State Operation Manual (SOM), Appendix B - Guidance to Surveyors for Home Health Agencies
Medicare Program Integrity (CMS-Pub. 100-08)	
805	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
806	Clarify Detailed Written Orders For Durable Medical Equipment, Prosthetics, Orthotics, And Supplies (DMEPOS)
807	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
808	Medical Review of Evaluation and Management (E/M) Documentation
809	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
810	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
811	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
812	Clarify Detailed Written Orders For Durable Medical Equipment, Prosthetics, Orthotics, And Supplies (DMEPOS)
813	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
814	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
815	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
816	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instruction
817	New Instructions for Home Health Agency Misuse of Requests for Anticipated Payments (RAPs)
818	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
819	Adding a Targeted Probe and Educate (TPE) Sub-Section Into Section 3.2 of Chapter 3 in Publication (Pub.) 100-08
820	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
821	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
822	Update to Chapter 15 of Publication (Pub.) 100-08, Certification Statement Policies
823	Update to Exhibit 16 - Model Payment Suspension Letters in Publication (Pub.) 100-08
824	Update to Chapter 15 of Publication (Pub.) 100-08, Certification Statement Policies
825	Credentials of Reviewers (This Change Request (CR) Rescinds and Fully Replaces CR 10157.)
826	Update to Chapter 4, Section 4.18.1.4 and Exhibit 16 in Publication (Pub.) 100-08
827	Updates to Chapter 4 of Publication (Pub.) 100-08
828	Guidance Regarding the Use of Statistical Sampling for Overpayment Estimation
829	None
830	
Medicare Contractor Beneficiary and Provider Communications (CMS-Pub. 100-09)	
	None
Medicare Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions **Quality Improvement Organization (CMS- Pub. 100-10)**	
	None
Medicare End Stage Renal Disease Network Organizations (CMS Pub 100-14)	
	None
Medicaid Program Integrity Disease Network Organizations (CMS Pub 100-15)	
	None
Medicare Managed Care (CMS-Pub. 100-16)	
	None
Medicare Business Partners Systems Security (CMS-Pub. 100-17)	
	None

Demonstrations (CMS-Pub. 100-19)	
200	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
201	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
202	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
203	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
204	Issued to a specific audience, not posted to Internet/Intranet due to Sensitivity of Instructions
205	Next Generation Accountable Care Organization (ACO) Model 2019 Benefit Enhancement
206	Next Generation Accountable Care Organization (ACO) Model 2019 Benefit Enhancement
One Time Notification (CMS-Pub. 100-20)	
2098	Implementation of Automating First Claim Review in Serial Claims for Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS)
2099	Client Letter Code Removal and Decommission in the ViPS Medicare System (VMS)
2100	Analysis for First Coast Service Options (FCSO) and Novitas for the Security Assertion Markup Language 2.0 (SAML 2.0) Migration
2101	Shared System Enhancement 2014: Implementation of Fiscal Intermediary Shared System (FISS) Obsolete On-Request Jobs - Phase 4
2102	Shared System Enhancement 2014: Implementation of Fiscal Intermediary Shared System (FISS) Obsolete On-Request Jobs - Phase 3
2103	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2104	Analysis of the Structured Data Elements for Sending Additional Documentation Request (ADR) Decision Letters and Prior Authorization/Pre-Claim Review (PA/PCR) Decision Letters Electronically via the Electronic Submission of Medical Documentation (esMD) System
2105	User CR: MCS - Analysis to Expand Narrative File Message Number Range
2106	Procedures for Shared Systems to Handle Foreign (non US) Addresses
2107	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2108	Shared System Enhancement 2015: Identify Inactive Medicare Demonstration Projects within the Fiscal Intermediary Shared System - (Removing /Archiving demonstration codes 44 and 47)
2109	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2110	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2111	Modifications Within Common Working File (CWF) to Adjustment Claims Exceeding Annual Therapy Threshold
2112	User CR: FISS to Add Additional Search Features to Provider Direct Data Entry (DDE) Screen
2113	Combined Common Edits/Enhancements Module (CCEM) Updates for JAVA (version 6) to JAVA (version 7)
2114	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2115	Correct the CWF Handling of Beneficiaries with 14+ MSP Occurrences for HETS
2116	Modifications to the National Coordination of Benefits Agreement (COBA) Medicare Crossover Process
2117	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2118	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2119	Process Improvement for Recovery Audit Contractor (RAC) Mass Adjustment Input File – Underpayment Adjustment Enhancement
2120	New CWF Edit for Part A Outpatient Medicare Advantage (MA), Health Maintenance Organization (HMO)
2121	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2122	International Code of Diseases, Tenth Revision (ICD-10) and Other Coding
2123	Not Issued--Revisions to National Coverage Determinations (NCDs)
2124	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2125	Medicare Diabetes Prevention Program (MDPP) Service Period Change from 3 Years to 2 Years
2126	User CR: FISS to Add Location/Statuses to the 6H File Fix
2127	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2128	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2129	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2130	Enhancement for Undeliverable Pay Medicare Summary Notices (MSNs) for Multi-Carrier System (MCS) Users
2131	Ensuring Home Health Standardized Amounts Are Reflected in the National Claims History
2132	User CR: MCS - Enhance H9 Screen to Hold Information After Claim Finalizes
2133	Clarification of Policies Related to Reasonable Cost Payment for Nursing and Allied Health Education Programs
2134	Shared System Enhancement 2015: Resolve Operating Report (ORPT) Issues – Development and Implementation
2135	Medicare Appeals System (MAS) Part B and Durable Medical Equipment (DME) Data Collection Web Services Pilot
2136	Standardization of Case File Transmittal and Provider Information Processes, Bankruptcy, Payment Hold, and Cancellation Reporting Between the Medicare Administrative Contractors (MAC) and the Recovery Audit Contractor (RAC)
2137	National Correct Coding Initiative (NCCI) Add-on Codes for Non-Outpatient Prospective Payment System (OPPS) Institutional Providers Implementation
2138	International Classification of Diseases, Tenth Revision (ICD-10) and Other

	Coding Revisions to National Coverage Determinations (NCDs)
2139	Monthly Status Report (MSR) Excel Data Template Updates and Implementation of Medicare Administrative Contractor (MAC)/Centers for Medicare & Medicaid Services (CMS) Data Exchange (MDX) Portal System - This CR Rescinds and Fully Replaces CR 10399.
2140	Redesign of Flu Vaccines in Fiscal Intermediary Shared System (FISS)
2141	Implementing the Insertion of a Sheet of Paper Promoting the Electronic Medicare Summary Notices (eMSNs) into Mailed Medicare Summary Notices (MSNs)
2142	Issued to a specific audience, not posted to Internet/ Intranet due to Sensitivity of Instructions
2143	Implementation of the Award for the Jurisdiction F (J-F) Part A and Part B Medicare Administrative Contractor (JF A/B MAC)
Medicare Quality Reporting Incentive Programs (CMS- Pub. 100-22)	
77	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
78	Payments to Home Health Agencies That Do Not Submit Required Quality Data - This CR Rescinds and Fully Replaces CR 9651
79	Issued to a specific audience, not posted to Internet/Intranet due to Confidentiality of Instructions
Information Security Acceptable Risk Safeguards (CMS-Pub. 100-25)	
	None

Addendum II: Regulation Documents Published in the Federal Register (July through September 2018)

Regulations and Notices

Regulations and notices are published in the daily **Federal Register**. To purchase individual copies or subscribe to the **Federal Register,** contact GPO at www.gpo.gov/fdsys. When ordering individual copies, it is necessary to cite either the date of publication or the volume number and page number.

The **Federal Register** is available as an online database through GPO Access. The online database is updated by 6 a.m. each day the **Federal Register** is published. The database includes both text and graphics from Volume 59, Number 1 (January 2, 1994) through the present date and can be accessed at http://www.gpoaccess.gov/fr/index.html. The following website http://www.archives.gov/federal-register/ provides information on how to access electronic editions, printed editions, and reference copies.

This information is available on our website at: http://www.cms.gov/quarterlyproviderupdates/downloads/Regs-3Q18QPU.pdf

For questions or additional information, contact Terri Plumb (410-786-4481).

Addendum III: CMS Rulings (July through September 2018)

CMS Rulings are decisions of the Administrator that serve as precedent final opinions and orders and statements of policy and interpretation. They provide clarification and interpretation of complex or ambiguous provisions of the law or regulations relating to Medicare, Medicaid, Utilization and Quality Control Peer Review, private health insurance, and related matters.

The rulings can be accessed at http://www.cms.gov/Regulations-and-Guidance/Guidance/Rulings. For questions or additional information, contact Tiffany Lafferty (410-786-7548).

Addendum IV: Medicare National Coverage Determinations (July through September 2018)

Addendum IV includes completed national coverage determinations (NCDs), or reconsiderations of completed NCDs, from the quarter covered by this notice. Completed decisions are identified by the section of the NCD Manual (NCDM) in which the decision appears, the title, the date the publication was issued, and the effective date of the decision. An NCD is a determination by the Secretary for whether or not a particular item or service is covered nationally under the Medicare Program (title XVIII of the Act), but does not include a determination of the code, if any, that is assigned to a particular covered item or service, or payment determination for a particular covered item or service. The entries below include information concerning completed decisions, as well as sections on program and decision memoranda, which also announce decisions or, in some cases, explain why it was not appropriate to issue an NCD. Information on completed decisions as well as pending decisions has also been posted on the CMS website. For the purposes of this quarterly notice, we are providing only the specific updates that have occurred in the 3-month period. There were no national coverage determinations (NCDs), or reconsiderations of completed NCDs published in the 3-month period. This information is available at: www.cms.gov/medicare-coverage-database/. For questions or additional information, contact Wanda Belle, MPA (410-786-7491).

Addendum V: FDA-Approved Category B Investigational Device Exemptions (IDEs) (July through September 2018)

(Inclusion of this addenda is under discussion internally.)

Addendum VI: Approval Numbers for Collections of Information (July through September 2018)

All approval numbers are available to the public at Reginfo.gov. Under the review process, approved information collection requests are assigned OMB control numbers. A single control number may apply to several related information collections. This information is available at www.reginfo.gov/public/do/PRAMain. For questions or additional information, contact William Parham (410-786-4669).

Addendum VII: Medicare-Approved Carotid Stent Facilities, (July through September 2018)

Addendum VII includes listings of Medicare-approved carotid stent facilities. All facilities listed meet CMS standards for performing carotid artery stenting for high risk patients. On March 17, 2005, we issued our decision memorandum on carotid artery stenting. We determined that carotid artery stenting with embolic protection is reasonable and necessary only if performed in facilities that have been determined to be competent in performing the evaluation, procedure, and follow-up necessary to ensure optimal patient outcomes. We have created a list of minimum standards for facilities modeled in part on professional society statements on competency. All facilities must at least meet our standards in order to receive coverage for carotid artery stenting for high risk patients. For the purposes of this quarterly notice, we are providing only the specific updates that have occurred in the 3-month period. This information is available at: http://www.cms.gov/MedicareApprovedFacilitie/CASF/list.asp#TopOfPage For questions or additional information, contact Sarah Fulton, MHS (410-786-2749).

Facility	Provider Number	Effective Date	State
The following facilities are new listings for this quarter.			
Maine General Medical Center 35 Medical Center Parkway Augusta, ME 04330	1669423380	07/01/2018	ME
West Florida Regional Hospital 8383 North Davis Highway Pensacola, FL 32514	1639116726	07/20/2018	FL
The following facilities have editorial changes (in bold).			
Methodist Hospital 1701 N. Senate **Boulevard** Indianapolis, IN 46202-1239	150056	05/23/2005	IN
Florida Medical Center - A Campus of North Shore 5000 West Oakland Park Boulevard Ft. Lauderdale, FL 33313	FROM: 10002900 TO: **002900**	02/06/2006	FL

Addendum VIII: American College of Cardiology's National Cardiovascular Data Registry Sites (July through September 2018)

The initial data collection requirement through the American College of Cardiology's National Cardiovascular Data Registry (ACC-NCDR) has served to develop and improve the evidence base for the use of ICDs in certain Medicare beneficiaries. The data collection requirement ended with the posting of the final decision memo for Implantable Cardioverter Defibrillators on February 15, 2018.

For questions or additional information, contact Sarah Fulton, MHS (410-786-2749).

Addendum IX: Active CMS Coverage-Related Guidance Documents (July through September 2018)

CMS issued a guidance document on November 20, 2014 titled "Guidance for the Public, Industry, and CMS Staff: Coverage with Evidence Development Document". Although CMS has several policy vehicles relating to evidence development activities including the investigational device exemption (IDE), the clinical trial policy, national coverage determinations and local coverage determinations, this guidance document is principally intended to help the public understand CMS's implementation of coverage with evidence development (CED) through the national coverage determination process. The document is available at http://www.cms.gov/medicare-coverage-database/details/medicare-coverage-document-details.aspx?MCDId=27. There are no additional Active CMS Coverage-Related Guidance Documents for the 3-month period. For questions or additional information, contact JoAnna Baldwin, MS (410-786-7205).

Addendum X: List of Special One-Time Notices Regarding National Coverage Provisions (July through September 2018)

There were no special one-time notices regarding national coverage provisions published in the 3-month period. This information is

available at www.cms.hhs.gov/coverage. For questions or additional information, contact JoAnna Baldwin, MS (410-786 7205).

Addendum XI: National Oncologic PET Registry (NOPR) (July through September 2018)

Addendum XI includes a listing of National Oncologic Positron Emission Tomography Registry (NOPR) sites. We cover positron emission tomography (PET) scans for particular oncologic indications when they are performed in a facility that participates in the NOPR.

In January 2005, we issued our decision memorandum on **positron emission tomography** (PET) scans, which stated that CMS would cover PET scans for particular oncologic indications, as long as they were performed in the context of a clinical study. We have since recognized the National Oncologic PET Registry as one of these clinical studies. Therefore, in order for a beneficiary to receive a Medicare-covered PET scan, the beneficiary must receive the scan in a facility that participates in the registry. There were no additions, deletions, or editorial changes to the listing of National Oncologic Positron Emission Tomography Registry (NOPR) in the 3-month period. This information is available at http://www.cms.gov/MedicareApprovedFacilitie/NOPR/list.asp#TopOfPage. For questions or additional information, contact Stuart Caplan, RN, MAS (410-786-8564).

Addendum XII: Medicare-Approved Ventricular Assist Device (Destination Therapy) Facilities (July through September 2018)

Addendum XII includes a listing of Medicare-approved facilities that receive coverage for ventricular assist devices (VADs) used as destination therapy. All facilities were required to meet our standards in order to receive coverage for VADs implanted as destination therapy. On October 1, 2003, we issued our decision memorandum on VADs for the clinical indication of destination therapy. We determined that VADs used as destination therapy are reasonable and necessary only if performed in facilities that have been determined to have the experience and infrastructure to ensure optimal patient outcomes. We established facility standards and an application process. All facilities were required to meet our standards in order to receive coverage for VADs implanted as destination therapy.

For the purposes of this quarterly notice, we are providing only the specific updates to the list of Medicare-approved facilities that meet our standards that have occurred in the 3-month period. This information is available at http://www.cms.gov/MedicareApprovedFacilitie/VAD/list.asp#TopOfPage. For questions or additional information, contact David Dolan, JD, (410-786-3365).

Facility	Provider Number	Date of Initial Certification	Date of Recertification	State
The following facilities are new listings for this quarter.				
West Virginia University Hospitals 1 Medical Center Drive Morgantown, WV 26506 Other information: Joint Commission ID #6444	510001	07/26/2018		WV
The following facilities have editorial changes (in bold).				
FROM: Saint Thomas Hospital / Saint Thomas Health Services **TO: Saint Thomas West Hospital** **4220 Harding Rd.** **Nashville, TN** **Other information: Joint Commission ID #7891** **Previous Re-certification Dates: 2012-06-22; 2014-05-20; 2016-07-13**	440082	08/05/2010	**06/23/2018**	TN
Robert Wood Johnson University Hospital 1 Robert Wood Johnson Place New Brunswick, NJ 08903 **Other information: Joint Commission ID #5969** **Previous Re-certification Dates: 2012-07-20; 2014-06-17; 2016-07-19**	310038	**07/23/2010**	**06/27/2018**	NJ

Facility	Provider Number	Date of Initial Certification	Date of Recertification	State
Carolinas Medical Center 1000 Blythe Boulevard Charlotte, NC 28232 **Other Information:** **Joint Commission 6480** **Previous Re-certification Dates: 2012-05-11; 2014-04-22; 2016-04-12**	340113	05/12/2010	**04/25/2018**	NC
FROM: Saint Luke's Hospital **TO: Saint Luke's Hospital of Kansas City** 4401 Wornall Road Kansas City, MO 64111 **Other information:** **Joint Commission ID #8351** **Previous Re-certification Dates: 2012-06-06; 2014-05-06; 2016-06-21**	440039	04/21/2012	**05/09/2018**	MO
FROM: Vanderbilt University Hospital and the Vanderbilt Clinic **TO: Vanderbilt University Medical Center** 1211 Medical Center Drive Nashville, TN 37232 **Other information:** **Joint Commission ID #7892** **Previous Re-certification Dates: 2014-03-11; 2016-04-05**	440039	04/21/2012	**05/09/2018**	TN

Facility	Provider Number	Date of Initial Certification	Date of Recertification	State
University of Colorado Hospital Authority **12401 E. 17th Ave.** **Aurora, CO 80045** **Other information:** **Joint Commission ID #9384** **Previous Re-certification Dates: 2008-07-23; 2010-08-17; 2012-08-10; 2014-07-22; 2016-07-26**	060024	11/06/2003	**07/18/2018**	CO
FROM: Washington Hospital Center **TO: MedStar Washington Hospital Center** 110 Irving St., NW Washington, DC 20010 **Other information:** **Joint Commission ID #6308** **Previous Re-certification Dates: 2010-04-06; 2012-03-23; 2014-03-04; 2016-05-03**	090011	04/23/2008	**05/23/2018**	DC
Strong Memorial Hospital 601 Elmwood Avenue Rochester, NY 14642 **Other information:** **Joint Commission ID #5856** **Previous Re-certification Dates: 2008-06-17; 2010-07-02; 2012-06-06; 2014-05-13; 2016-07-26**	330285	10/20/2003	**07/25/2018**	NY
Abington Memorial Hospital 1200 Old York Road Abington, PA 19001 **Other information:** **Joint Commission ID #6013** **Previous Re-certification Dates: 2014-06-03; 2016-06-28**	390231	07/10/2012	**05/23/2018**	PA
Penn State Milton S. Hershey	390256	10/29/2003	**05/23/2018**	PA

Facility	Provider Number	Date of Initial Certification	Date of Recertification	State
Medical Center 500 University Drive Hershey, PA 17033 **Other information:** **Joint Commission ID #6075** **Previous Re-certification Dates: 2008-04-01; 2010-03-24; 2012-03-16; 2014-04-08; 2016-06-07**				
Mission Hospital 509 Biltmore Avenue Asheville, NC 28801 **Other information:** **Joint Commission ID #6468**	340002	06/09/2016	**06/27/2018**	NC
FROM: University of Michigan Hospitals and Health Centers, The **TO: University of Michigan Health System** 1500 E Medical Center Drive Ann Arbor, MI 48109 **Other information:** **Joint Commission ID #7457** **Previous Re-certification Dates: 2008-03-27; 2010-03-18; 2012-03-07; 2014-02-04; 2016-03-15**	230046	10/27/2003	**04/25/2018**	MI
FROM: University of Virginia Health System **TO: University of Virginia Medical Center** 1215 Lee Street Charlottesville, VA 22908 **Other information:** **Joint Commission ID #6329** **Previous Re-certification Dates: 2012-03-21; 2014-05-06; 2016-06-07**	490009	02/12/2010	**06/06/2018**	VA
FROM: Columbia Hospital at Medical City Dallas **TO: Medical City Dallas** 7777 Forest Lane Dallas, TX 75230 **Other information:** **Joint Commission ID #9008** **Previous Re-certification Dates: 2008-10-02; 2010-08-10; 2012-07-17; 2014-06-27; 2016-07-12**	450647	12/03/2003	**06/06/2018**	TX
FROM: Vanderbilt University Hospital and the Vanderbilt Clinic **TO: Vanderbilt University Medical Center** 1211 Medical Center Drive Nashville, TN 37232 **Other information:** **Joint Commission ID #7892** **Previous Decertification Date: 2007-08-13** **Previous Re-certification Dates: 2012-04-21; 2014-03-11; 2016-04-05**	440039	10/28/2003	**05/09/2018**	TN
FROM: Saint Joseph's Hospital of Atlanta **TO: Emory Saint Joseph's Hospital** 5665 Peachtree Dunwoody Rd. Atlanta, GA 30342 **Other information:** **Joint Commission ID #6652** **Previous Re-certification Dates: 2012-07-11; 2014-06-03; 2016-07-12**	110082	07/14/2010	**06/06/2018**	GA
The following facilities are decertifications for this quarter.				
The University of Toledo Medical Center 3000 Arlington Avenue	360048	04/20/2012		OH

Facility	Provider Number	Date of Initial Certification	Date of Recertification	State
Toledo, OH 43614 Other information: Joint Commission De-certified: 2018-05-18				
Geisinger Wyoming Valley Medical Center 1000 East Mountain Drive Wilkes Barre, PA 18711 Other information: Joint Commission De-certified: 2018-05-28	390270	02/26/2014	04/13/2016	PA
Delray Medical Center, Inc. 5352 Linton Boulevard Delray Beach, FL 33484 Other information: Joint Commission De-certified: 2018-06-01	100258	08/11/2015	08/17/2017	FL

Addendum XIII: Lung Volume Reduction Surgery (LVRS) (July through September 2018)

Addendum XIII includes a listing of Medicare-approved facilities that are eligible to receive coverage for lung volume reduction surgery. Until May 17, 2007, facilities that participated in the National Emphysema Treatment Trial were also eligible to receive coverage. The following three types of facilities are eligible for reimbursement for Lung Volume Reduction Surgery (LVRS):

- National Emphysema Treatment Trial (NETT) approved (Beginning 05/07/2007, these will no longer automatically qualify and can qualify only with the other programs);
- Credentialed by the Joint Commission (formerly, the Joint Commision on Accreditation of Healthcare Organizations (JCAHO)) under their Disease Specific Certification Program for LVRS; and
- Medicare approved for lung transplants.

Only the first two types are in the list. There were no editorial updates to the listing of facilities for lung volume reduction surgery published in the 3-month period. This information is available at www.cms.gov/MedicareApprovedFacilitie/LVRS/list.asp#TopOfPage. For questions or additional information, contact Sarah Fulton, MHS (410-786-2749).

Addendum XIV: Medicare-Approved Bariatric Surgery Facilities (July through September 2018)

Addendum XIV includes a listing of Medicare-approved facilities that meet minimum standards for facilities modeled in part on professional society statements on competency. All facilities must meet our standards in order to receive coverage for bariatric surgery procedures. On February 21, 2006, we issued our decision memorandum on bariatric surgery procedures. We determined that bariatric surgical procedures are reasonable and necessary for Medicare beneficiaries who have a body-mass index (BMI) greater than or equal to 35, have at least one co-morbidity related to obesity and have been previously unsuccessful with medical treatment for obesity. This decision also stipulated that covered bariatric surgery procedures are reasonable and necessary only when performed at facilities that are: (1) certified by the American College of Surgeons (ACS) as a Level 1 Bariatric Surgery Center (program standards and requirements in effect on February 15, 2006); or (2) certified by the American Society for Bariatric Surgery (ASBS) as a Bariatric Surgery Center of Excellence (BSCOE) (program standards and requirements in effect on February 15, 2006).

There were no additions, deletions, or editorial changes to Medicare-approved facilities that meet CMS's minimum facility standards for bariatric surgery that have been certified by ACS and/or ASMBS in the 3-month period. This information is available at www.cms.gov/MedicareApprovedFacilitie/BSF/list.asp#TopOfPage. For questions or additional information, contact Sarah Fulton, MHS (410-786-2749).

Addendum XV: FDG-PET for Dementia and Neurodegenerative Diseases Clinical Trials (July through September 2018)

There were no FDG-PET for Dementia and Neurodegenerative Diseases Clinical Trials published in the 3-month period.

This information is available on our website at www.cms.gov/MedicareApprovedFacilitie/PETDT/list.asp#TopOfPage. For questions or additional information, contact Stuart Caplan, RN, MAS (410-786-8564).

[FR Doc. 2018–23924 Filed 11–1–18; 8:45 am]
BILLING CODE 4120–01–C

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Community Living

Agency Information Collection Activities: Proposed Collection; Public Comment Request; New Data Collection (ICR New) of the No Wrong Door (NWD) System Management Tool

AGENCY: Administration for Community Living, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: The Administration for Community Living (ACL) is announcing an opportunity for the public to comment on the proposed collection of information listed above. Under the Paperwork Reduction Act of 1995 (the PRA), Federal agencies are required to publish a notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice.

This New Data Collection (ICR New) solicits comments on the information collection requirements relating to the Aging and Disability Resource Center/No Wrong Door System (ADRC/NWD). The statutory authority for ADRC/NWD is contained in Title IV of the Older Americans Act (OAA), as amended by the Older Americans Act Amendments of 2006, Public Law 109–365.

DATES: Comments on the collection of information must be submitted electronically by 11:59 p.m. (EST) or postmarked by January 2, 2019.

ADDRESSES: Submit electronic comments on the collection of information to: Ami Patel, *ami.patel@acl.hhs.gov.* Submit written comments on the collection of information to Administration for Community Living, 330 C Street SW, Washington, DC 20201, Attention: Ami Patel.

FOR FURTHER INFORMATION CONTACT: Ami Patel at (202) 795–7376 or *ami.patel@acl.hhs.gov.*

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501–3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, ACL is publishing a notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, ACL invites comments on our burden estimates or any other aspect of this collection of information, including:

(1) Whether the proposed collection of information is necessary for the proper performance of ACL's functions, including whether the information will have practical utility;

(2) the accuracy of ACL's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used to determine burden estimates;

(3) ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques when appropriate, and other forms of information technology.

ACL, the Centers for Medicare and Medicaid Services (CMS), and the Veterans Health Administration (VHA) have partnered to support states' efforts in developing coordinated systems of access, or No Wrong Door (NWD) Systems, to make it easier for people to learn about and access long-term services and supports (LTSS). When seeking services and supports, individuals and caregivers often face multiple, fragmented processes that are complex and confusing. States' access systems have been built over time as programs and funding streams have been added, creating duplicative eligibility and intake processes that are difficult for individuals and their caregivers to use. To address these issues, the NWD System model supports state efforts to streamline access to LTSS options for all populations and provides the infrastructure to promote the collaboration of local service organizations, making service delivery more efficient and person-centered. Examples of coordinated efforts include processes where individuals are assessed once via a common or standardized data collection method that captures a core set of individual level data relevant for determining the range of necessary LTSS.

The federal vision for the NWD System gives states flexibility in determining how best to organize, structure and operate the various functions of their NWD System. States continue to integrate, in some cases restructure, and over time strengthen their existing programs in order to realize the joint ACL/CMS/VHA vision for a fully coordinated and integrated system of access. These efforts are supported by a variety of initiatives, including the VHA's Veteran Directed Care (VDC) program, an evidence-based self-directed program where person-centered counselors from aging and disability network agencies within a state's NWD System provide facilitated assessment and care planning, arrange fiscal management services and provide ongoing counseling and support to Veterans, their families and caregivers.

The NWD System Management Tool (NWD MT) provides a platform for data collection necessary to evaluate the four primary functions of a NWD System: State Governance and Administration, Public Outreach and Coordination with Key Referral Sources, Person Centered Counseling, and Streamlined Access to Public LTSS Programs. In addition, this tool will include data collection for the VDC program to collect qualitative and quantitative data elements necessary to evaluate the impact of the VDC program. The VDC tool will track key performance measures and identify best practices and technical assistance needs.

The NWD MT and the VDC tool will enable ACL and its partners to collect and analyze data elements necessary to assess the progress of the NWD System model, track performance measures, and identify gaps and best practices. These tools have been designed in close collaboration with states and are intended to simplify grant reporting requirements to reduce burden on local and state entities and will provide a consistent, streamlined and coordinated statewide approach to help states govern their NWD System and manage their programs efficiently.

The proposed data collection tools may be found on the ACL website for review at: *https://www.acl.gov/about-acl/public-input.*

Estimated Program Burden:

ACL estimates the burden of this collection of information as follows:

Fifty-six lead NWD System state and territorial agencies will respond to the NWD MT bi-annually and it will take approximately half an hour to collect the data and an additional half hour to input the data into a web-based system.

Additionally, an estimated 996 local agencies will take approximately three hours to collect the data and one hour to submit the data to their lead NWD System state agency. If all state and local agencies respond bi-annually, the national burden estimate for the NWD MT would be a total of 8,080 hours annually. This burden estimate is calculated based upon a sample of three states that tested a demonstration of the NWD MT as a part of the grantee requirements under the NWD System Implementation grant, a competitive funding opportunity funded in 2016 through 2018. Each state entity submitting data will receive local-level data from designated NWD System entities. The estimated response burden includes time to review the instructions, gather existing information, and complete and review the data entries in a web-based system.

An estimated 400 VDC program entities will respond to the VDC Tool on a monthly basis, all of which are also NWD local-level entities, for an annual burden of 2,400 hours. This burden estimate is calculated based upon information provided by a current VDC program provider testing a demonstration of the VDC tool. The NWD MT and the VDC tool have been developed to increase ease and uniformity of reporting and improve the ability of ACL to manage and analyze data.

Respondent/data collection activity	Number of respondents	Responses per respondent	Hours per response	Annual burden hours
NWD Management Tool data collection and entry—State Level	56	2	1.0	112
NWD Management Tool data collection and entry—Local Level	996	2	4.0	7,968
Veteran Directed Care Tool	400	12	0.5	2,400
Total:	1,452			10,480

Dated: October 23, 2018.

Mary Lazare,

Principal Deputy Administrator.

[FR Doc. 2018–24053 Filed 11–1–18; 8:45 am]

BILLING CODE 4154–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–D–3903]

Chronic Hepatitis B Virus Infection: Developing Drugs for Treatment; 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 ''Chronic Hepatitis B Virus Infection: Developing Drugs for Treatment.'' The purpose of this guidance is to assist sponsors in the clinical development of drugs and biologics for the treatment of chronic hepatitis B virus (HBV) infection from the initial investigational new drug application (IND) through the new drug application (NDA)/biologics license application (BLA) and postmarketing phases.

DATES: Submit either electronic or written comments on the draft guidance by January 2, 2019 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–3903 for ''Chronic Hepatitis B Virus Infection: Developing Drugs for Treatment.'' 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: Poonam Mishra, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 22, Rm. 6100, Silver Spring, MD 20993, 301–796–1500.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a draft guidance for industry entitled ''Chronic Hepatitis B Virus Infection: Developing Drugs for Treatment.'' The purpose of this guidance is to assist sponsors in the clinical development of drugs and biologics for the treatment of chronic HBV infection from the initial IND through the NDA/BLA and postmarketing phases. The guidance includes general considerations for nonclinical toxicology and virology studies, early phase clinical development, clinical pharmacology assessments, and phase 3 safety and efficacy trials. The guidance discusses phase 3 trial design considerations and efficacy endpoints for the development of combination therapies for the treatment of chronic HBV infection. Drug development considerations for specific subpopulations such as patients coinfected with hepatitis D virus or human immunodeficiency virus and pediatric HBV-infected patients are also included.

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 ''Chronic Hepatitis B Virus Infection: Developing Drugs for Treatment.'' It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations. This guidance is not subject to Executive Order 12866.

II. Paperwork Reduction Act of 1995

This 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 (PRA) (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. The submission of prescription drug labeling under 21 CFR 201.56 and 201.57 has been approved under OMB control number 0910–0572.

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: October 29, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–23951 Filed 11–1–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2018–N–3693]

Product Development in Hemophilia; Public Workshop

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of public workshop.

SUMMARY: The Food and Drug Administration (FDA, the Agency, or we) is announcing the following public workshop entitled ''Product Development in Hemophilia.'' The purpose of the public workshop is to discuss issues related to development and regulation of novel hemophilia products.

DATES: The public workshop will be held on December 6, 2018, from 8:30 a.m. to 4:30 p.m. See the **SUPPLEMENTARY INFORMATION** section for registration date and information.

ADDRESSES: The public workshop will be held at FDA's White Oak Campus, 10903 New Hampshire Ave., Bldg. 31 Conference Center, the Great Room (Rm. 1503), Silver Spring, MD 20993–0002. Entrance for the public workshop participants (non-FDA employees) is through Building 1 where routine security check procedures will be performed. For parking and security information, please refer to *https://www.fda.gov/AboutFDA/WorkingatFDA/BuildingsandFacilities/WhiteOakCampusInformation/ucm241740.htm.*

Docket: For access to the docket to read background documents 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.

FOR FURTHER INFORMATION CONTACT: Joan Ferlo Todd, Food and Drug Administration, Center for Drug Evaluation and Research, Office of Hematology and Oncology Products, 10903 New Hampshire Ave., Bldg. 22, Rm. 2139, Silver Spring, MD 20993–0002, 301–796–6079, *Joan.Todd@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Hemophilia is a bleeding disorder caused by deficiency of coagulation factor VIII (hemophilia A) or coagulation factor IX (hemophilia B). Hemophilia treatment strategies are intended to prevent or control bleeding and the attendant complications. Recently, hemophilia treatment strategies have led to the development of factor concentrates, recombinant DNA technology products, antibodies, and potential curative strategies such as gene therapy. These new emerging technologies raise new considerations about trial design, novel endpoints, patient-reported outcomes, and long-term safety collection.

This public workshop is intended to provide a platform for engaging in a discussion with experts in hemophilia treatment, patients, and caregivers. The purpose of this workshop is to advance further development of patient-experience and patient-reported outcomes for use in clinical trials, facilitate reliable and interpretable measurements of factor VIII/IX activity

levels for gene therapy products, discuss the need for long-term safety assessments in gene therapy clinical trials, and discern when to enroll pediatric patients in gene therapy trials.

II. Topics for Discussion at the Public Workshop

The workshop will feature presentations and panel discussions on hemophilia product development. The presentations will include an overview of product development in hemophilia, and the regulatory challenges in the development of novel hemophilia therapies. Five sessions include presentations to frame panel discussions to cover the following topics:

1. Overview of product development in hemophilia;
2. Efficacy endpoints related to bleeding outcomes and considerations for factor activity as a surrogate endpoint;
3. Patient and caregiver perspectives on developing outcomes for clinical trials;
4. Discrepancies in the factor activity measurements by different assays observed in gene therapy trials and root causes for the discrepancies; and
5. Clinical trial design considerations for follow up on safety, efficacy, enrollment of pediatric patients in gene therapy trials, and the applicability of on-demand treatment as a control group in the evolving landscape of treatment options in hemophilia.

III. Participating in the Public Workshop

Registration: Persons interested in attending this public workshop must register online at *https://fdaoce.formstack.com/forms/pdh120618* before 5 p.m. on December 3, 2018. Please provide complete contact information for each attendee, including name, title, affiliation, address, email, and telephone.

Registration is free and based on space availability, with priority given to early registrants. Early registration is recommended because seating is limited; therefore, FDA may limit the number of participants from each organization. Registrants will receive confirmation when they have been accepted.

If you need special accommodations due to a disability, please contact Joan Ferlo Todd at *Joan.Todd@fda.hhs.gov* no later than 5 p.m., on November 21, 2018.

Streaming Webcast of the Public Workshop: This public workshop will also be web-streamed on the day of the workshop.

If you have never attended a webcast event before, test your connection at *https://collaboration.fda.gov/common/help/en/support/meeting_test.htm.* To get a quick overview of the Adobe webcast program, visit *https://www.adobe.com/go/connectpro_overview.* FDA has verified the website addresses in this document, as of the date this document publishes in the **Federal Register**, but websites are subject to change over time.

Transcripts: Please be advised that as soon as a transcript of the public workshop is available, it will be accessible at *https://www.regulations.gov.* It may be viewed at the Dockets Management Staff (see **ADDRESSES**). A link to the transcript will be available on the internet at *https://www.fda.gov/NewsEvents/MeetingsConferencesWorkshops/ucm620602.htm.*

Dated: October 29, 2018.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2018–23947 Filed 11–1–18; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Health Center Program

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Announcement of Supplemental Award.

SUMMARY: HRSA provided supplemental grant funds to a currently funded National Training and Technical Assistance Cooperative Agreement (NCA) award recipient to coordinate and provide training and technical assistance (T/TA) to health centers that serve migrant and seasonal agricultural workers (MSAW) and their families through three regional forums.

SUPPLEMENTARY INFORMATION:

Recipient of the Award: The National Center for Farmworker Health, Inc.

Amount of Non-Competitive Awards: $150,000.

Period of Supplemental Funding: Fiscal years 2018 and 2019 (contingent upon available funding and satisfactory performance).

CFDA Number: 93.129.

Authority: Section 330(l) of the Public Health Service Act, as amended.

JUSTIFICATION: The award recipient will lead the coordination and management of three regional Migrant Stream Forums to provide T/TA addressing the critical health needs of MSAW in alignment with HRSA priorities. T/TA provided at the Migrant Stream Forums is targeted to a broad range of health center staff positions, and covers diverse topics that address the needs of migrant health centers and the patients they serve. Supplemental funds are necessary to support their timely and successful implementation.

This supplemental funding will augment the current NCA investment for these T/TA opportunities through support of enhanced personnel presence, the availability of continuing education unit-bearing educational sessions to meet the diverse needs of multidisciplinary health center staff, and speaker and participant stipends that underscore the unique value these in-person regional T/TA sessions provide.

FOR FURTHER INFORMATION CONTACT: Tracey Orloff, Strategic Partnerships Division Director in the Bureau of Primary Health Care, Office of Quality Improvement, at *TOrloff@hrsa.gov.*

Dated: October 26, 2018.

George Sigounas,

Administrator.

[FR Doc. 2018–24008 Filed 11–1–18; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel.

Date: November 20, 2018.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge 6700, 6710B Rockledge Drive, Bethesda, MD 20817.

Contact Person: Kimberly Lynette Houston, MD, Scientific Review Officer, Division of Scientific Review, National Institute of Child Health and Human Development, 6710B Rockledge Drive, Bethesda, MD 20817, *Kimberly.houston@nih.gov,* 301–827–4902.

(Catalogue of Federal Domestic Assistance Program Nos. 93.867, Population Research; 93.865. Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: October 29, 2018.

Ronald J. Livingston, Jr.,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–23938 Filed 11–1–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Dermatology, Rheumatology and Inflammation.

Date: November 27, 2018.

Time: 10:30 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Rajiv Kumar, Ph.D., Chief, MOSS IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4216, MSC 7802, Bethesda, MD 20892, 301–435–1212, *kumarra@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; AREA Applications in Oncological Sciences.

Date: November 28, 2018.

Time: 11:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892.

Contact Person: Svetlana Kotliarova, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6214, Bethesda, MD 20892, 301–594–7945, *kotliars@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Non-HIV Diagnostics, Food Safety, Sterilization/Disinfection, and Bioremediation.

Date: November 29–30, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Embassy Suites at Chevy Chase Pavilion, 4300 Military Road NW, Washington, DC 20892.

Contact Person: Gagan Pandya, Ph.D., Scientific Review Officer, National Institutes of Health, Center for Scientific Review, 6701 Rockledge Drive, RM 3200, MSC 7808, Bethesda, MD 20892, 301–435–1167, *pandyaga@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Small Business: Clinical Neurophysiology, Devices, Neuroprosthetics, and Biosensors.

Date: November 29–30, 2018.

Time: 8:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Baltimore Marriott Waterfront, 700 Aliceanna Street, Baltimore, MD 21202.

Contact Person: Cristina Backman, Ph.D., Scientific Review Officer, ETTN IRG, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5211, MSC 7846, Bethesda, MD 20892, 301–480–9069, *cbackman@mail.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel; Member Conflict: Integrative Neuroscience.

Date: November 29, 2018.

Time: 1:00 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 (Virtual Meeting).

Contact Person: Jasenka Borzan, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive Room 4214 MSC 7814, Bethesda, MD 20892–7814, 301–435–1787, *borzanj@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research; 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: October 29, 2018.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2018–23939 Filed 11–1–18; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[Docket No. USCG–2018–0880]

Notice of Public Meeting in Preparation for the IMO's One Hundred Twenty First Session of IMO's Council

AGENCY: Coast Guard, DHS.

ACTION: Notice of meeting.

SUMMARY: The United States Coast Guard will conduct an open meeting in Washington, DC in preparation for the upcoming one hundred twenty first session of IMO Council to be held at the IMO Headquarters, United Kingdom, November 19–23, 2018.

DATES: This meeting will be held on Wednesday, November 13, 2018, beginning at 10:30 a.m., Eastern Time. This meeting is open to the public.

ADDRESSES: The public meeting will be held in Room 5L18–01 of the Douglas A. Munro Coast Guard Headquarters Building at St. Elizabeth's, 2703 Martin Luther King, Jr. Avenue SE, Washington, DC 20593. Due to security requirements, each visitor must present two valid, government-issued forms of identification in order to gain entrance to the building. Those desiring to attend the public meeting should contact the Coast Guard ahead of the meeting (see **FOR FURTHER INFORMATION CONTACT**) to facilitate the security process related to building access, or to request reasonable accommodation.

FOR FURTHER INFORMATION CONTACT: For additional information about this public meeting you may contact Lieutenant Commander Staci Weist by telephone at 202–372–1376 or by email at *Eustacia.Y.Weist@uscg.mil.*

SUPPLEMENTARY INFORMATION:

The primary purpose of this meeting is to prepare for the upcoming one hundred twenty first session of IMO Council (C 120). The agenda items for this session include:

- Adoption of the agenda
- Report of the Secretary-General on credentials
- Strategy, planning and reform
- Rules of Procedure of the Assembly
- Resource Management
- IMO Member State Audit Scheme
- Consideration of the report of the Marine Environment Protection Committee
- Consideration of the report of the Technical Cooperation Committee
- Technical Cooperation Fund: Report on activities of the 2017 programme
- Word Maritime University
- IMO International Maritime Law Institute

- Protection of vital shipping lanes
- External relations
- Report on the status of the Convention and membership of the Organization
- Report on the status of conventions and other multilateral instruments in respect of which the Organization performs functions
- Contract of the Secretary-General
- Place, date and duration of the next session of the Council
- Supplementary agenda items, if any

Members of the public may attend this meeting up to the seating capacity of the room. To facilitate the building security process, and to request reasonable accommodation, those who plan to attend should contact the meeting coordinator, Lieutenant Commander Staci Weist, not later than November 7, 2018. Requests made after November 7, 2018, may not be able to be accommodated. It is recommended that attendees arrive to Coast Guard Headquarters no later than 30 minutes ahead of the scheduled meeting for the security screening process. Parking in the vicinity of the building is extremely limited. Additional information regarding this and other IMO public meetings may be found at: *www.uscg.mil/imo.*

Dated: October 26, 2018.

Benjamin J. Hawkins,

Acting Director, Commercial Regulations and Standards, U.S. Coast Guard.

[FR Doc. 2018–24031 Filed 11–1–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4402–DR; Docket ID FEMA–2018–0001]

Wisconsin; 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 Wisconsin (FEMA–4402–DR), dated October 18, 2018, and related determinations.

DATES: The declaration was issued October 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 October 18, 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 Wisconsin resulting from severe storms, tornadoes, straight-line winds, flooding, and landslides during the period of August 17 to September 14, 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 Wisconsin.

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 Individual Assistance and 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 and Other Needs Assistance 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 time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Steven W. Johnson, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Wisconsin have been designated as adversely affected by this major disaster:

Crawford, Dane, Juneau, La Crosse, Monroe, Richland, Sauk, and Vernon Counties for Individual Assistance.

Adams, Crawford, Dane, Fond du Lac, Green Lake, Iron, Juneau, La Crosse, Marquette, Monroe, Ozaukee, Richland, Sauk, and Vernon Counties for Public Assistance.

All areas within the State of Wisconsin 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. 2018–23919 Filed 11–1–18; 8:45 am]

BILLING CODE 9111–11–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4393–DR; Docket ID FEMA–2018–0001]

North Carolina; Amendment No. 8 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of North Carolina (FEMA–4393–DR), dated September 14, 2018, and related determinations.

DATES: This amendment was issued October 24, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of North Carolina is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of September 14, 2018.

Alamance, Madison, Polk, Rowan, and Tyrrell Counties for Public Assistance, including direct federal assistance.

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. 2018–23928 Filed 11–1–18; 8:45 am]

BILLING CODE 9111–11–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–3406–EM; Docket ID FEMA–2018–0001]

Georgia; Emergency and Related Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of an emergency for the State of Georgia (FEMA–3406–EM), dated October 10, 2018, and related determinations.

DATES: The declaration was issued October 10, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated October 10, 2018, the President issued an emergency declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5207 (the Stafford Act), as follows:

I have determined that the emergency conditions in certain areas of the State of Georgia resulting from Hurricane Michael beginning on October 9, 2018, and continuing, are of sufficient severity and magnitude to warrant an emergency 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 an emergency exists in the State of Georgia.

You are authorized to provide appropriate assistance for required emergency measures, authorized under Title V of the Stafford Act, to save lives and to protect property and public health and safety, and to lessen or avert the threat of a catastrophe in the designated areas. Specifically, you are authorized to provide assistance for debris removal and emergency protective measures (Categories A and B), including direct Federal assistance, under the Public Assistance program in selected areas and emergency protective measures (Category B), limited to direct Federal assistance, under the Public Assistance program in selected areas.

Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance 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. 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 emergency assistance and administrative expenses.

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, Department of Homeland Security, under Executive Order 12148, as amended, Manny J. Toro, of FEMA is appointed to act as the Federal Coordinating Officer for this declared emergency.

The following areas of the State of Georgia have been designated as adversely affected by this declared emergency:

Baker, Bleckley, Burke, Calhoun, Colquitt, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Emanuel, Grady, Houston, Jefferson, Jenkins, Johnson, Laurens, Lee, Macon, Miller, Mitchell, Pulaski, Seminole, Sumter, Terrell, Thomas, Treutlen, Turner, Wilcox, and Worth Counties for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program.

Appling, Atkinson, Bacon, Baldwin, Ben Hill, Berrien, Bibb, Brantley, Brooks, Bryan, Bulloch, Butts, Camden, Candler, Charlton, Chatham, Chattahoochee, Clarke, Clay, Clinch, Coffee, Columbia, Cook, Crawford, Echols, Effingham, Elbert, Evans, Glascock, Glynn, Greene, Hancock, Irwin, Jasper, Jeff Davis, Jones, Lamar, Lanier, Liberty, Lincoln, Long, Lowndes, Marion, McDuffie, McIntosh, Monroe, Montgomery, Morgan, Muscogee, Oconee, Oglethorpe, Peach, Pierce, Putnam, Quitman, Randolph, Richmond, Schley, Screven, Stewart, Talbot, Taliaferro, Tattnall, Taylor, Telfair, Tift, Toombs, Twiggs, Upson, Ware, Warren, Washington, Wayne, Webster, Wheeler, Wilkes, and Wilkinson Counties for emergency protective measures (Category B), limited to direct federal assistance, under the Public Assistance program.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–23926 Filed 11–1–18; 8:45 am]

BILLING CODE 9111–11–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 February 1, 2019 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, Department of Homeland Security, Federal Emergency Management Agency.

Community	Community map repository address
Taylor County, Florida and Incorporated Areas Docket No.: FEMA–B–1757	
City of Perry	City Hall, 224 South Jefferson Street, Perry, FL 32347.
Unincorporated Areas of Taylor County	Taylor County Courthouse Annex, 201 East Green Street, Perry, FL 32347.
Valley County, Idaho and Incorporated Areas Docket No.: FEMA–B–1673	
City of Cascade	City Hall, 105 South Main Street, Cascade, ID 83611.
City of McCall	City Hall, 216 East Park Street, McCall, ID 83638.
Unincorporated Areas of Valley County	Valley County Courthouse, 219 North Main Street, Cascade, ID 83611.
Polk County, Iowa and Incorporated Areas Docket No.: FEMA–B–1548	
City of Alleman	City Hall, 14000 Northeast 6th Street, Alleman, IA 50007.
City of Altoona	City Hall, 407 8th Street Southeast, Altoona, IA 50009.
City of Ankeny	Public Services Building, 220 West 1st Street, Ankeny, IA 50023.
City of Bondurant	City Hall, 200 2nd Street Northeast, Bondurant, IA 50035.
City of Clive	City Hall, 1900 Northwest 114th Street, Clive, IA 50325.
City of Des Moines	Permit and Development Center, 602 Robert D. Ray Drive, Des Moines, IA 50309.
City of Grimes	City Hall, 101 Northeast Harvey Street, Grimes, IA 50111.
City of Johnston	City Hall, 6221 Merle Hay Road, Johnston, IA 50131.
City of Mitchellville	City Hall, 204 Center Avenue North, Mitchellville, IA 50169.
City of Pleasant Hill	City Hall, 5160 Maple Drive, Suite A, Pleasant Hill, IA 50327.
City of Polk City	City Hall, 112 3rd Street, Polk City, IA 50226.
City of Runnells	City Hall, 110 Brown Street, Runnells, IA 50237.
City of Urbandale	City Hall, 3600 86th Street, Urbandale, IA 50322.
City of West Des Moines	City Hall, 4200 Mills Civic Parkway, West Des Moines, IA 50265.
City of Windsor Heights	City Hall, 1145 66th Street, Suite 1, Windsor Heights, IA 50324.
Unincorporated Areas of Polk County	Polk County Public Works, 5885 Northeast 14th Street, Des Moines, IA 50313.
Garrett County, Maryland and Incorporated Areas Docket No.: FEMA–B–1745	
Unincorporated Areas of Garrett County	Garrett County Courthouse Administrative Building, Department of Permits and Inspection Services, 203 South 4th Street, Room 208, Oakland, MD 21550.
Multnomah County, Oregon and Incorporated Areas Docket No.: FEMA–B–1703	
City of Fairview	Planning Department, 1300 Northeast Village Street, Fairview, OR 97024.
City of Gresham	City Hall, Community Development Office, 1333 Northwest Eastman Parkway, Gresham, OR 97030.

Community	Community map repository address
City of Troutdale	City Hall, 219 East Historic Columbia River Highway, Troutdale, OR 97060.
City of Wood Village	City Hall, 2055 Northeast 238th Drive, Wood Village, OR 97060.
Unincorporated Areas of Multnomah County	Multnomah County Office of Land Use and Planning, 1600 Southeast 190th Avenue, Portland, OR 97233.
Wayne County, Pennsylvania (All Jurisdictions) Docket No.: FEMA–B–1745	
Borough of Prompton	Prompton Fire Hall, 638 Prompton Road, Prompton, PA 18456.
Township of Canaan	Canaan Township Secretary's Office, 1327 Roosevelt Highway, Waymart, PA 18472.
Township of Texas	Texas Township Municipal Building, 506 Willow Avenue, Honesdale, PA 18431.
Grant County, West Virginia and Incorporated Areas Docket No.: FEMA–B–1745	
Town of Bayard	Town Hall, 101 Spruce Street, Suite 1, Bayard, WV 26707.
Unincorporated Areas of Grant County	Grant County Courthouse, 5 Highland Avenue, Petersburg, WV 26847.
Racine County, Wisconsin and Incorporated Areas Docket No.: FEMA–B–1755	
Village of Caledonia	Village Hall, 5043 Chester Lane, Racine, WI 53402.
Village of Mount Pleasant	Village Hall, 8811 Campus Drive, Mount Pleasant, WI 53406.

[FR Doc. 2018–23918 Filed 11–1–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4400–DR; Docket ID FEMA–2018–0001]

Georgia; 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 Georgia (FEMA–4400–DR), dated October 14, 2018, and related determinations.

DATES: The declaration was issued October 14, 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 October 14, 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 Georgia resulting from Hurricane Michael during the period October 9, 2018, and continuing, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the ''Stafford Act''). Therefore, I declare that such a major disaster exists in the State of Georgia.

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 Individual Assistance, assistance for debris removal and emergency protective measures (Categories A and B) under the Public Assistance program in the designated areas, Hazard Mitigation throughout the State, and any other forms of assistance under the Stafford Act that you deem appropriate subject to completion of Preliminary Damage Assessments (PDAs).

Consistent with the requirement that Federal assistance is supplemental, any Federal funds provided under the Stafford Act for Public Assistance, Hazard Mitigation, and Other Needs Assistance will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration for the approved assistance to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Manny J. Toro, of FEMA is appointed to act as the Federal Coordinating Officer for this major disaster.

The following areas of the State of Georgia have been designated as adversely affected by this major disaster:

Baker, Decatur, Dougherty, Early, Miller, and Seminole Counties for Individual; Assistance.

Baker, Bleckley, Burke, Calhoun, Colquitt, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Emanuel, Grady, Houston, Jefferson, Jenkins, Johnson, Laurens, Lee, Macon, Miller, Mitchell, Pulaski, Seminole, Sumter, Terrell, Thomas, Treutlen, Turner, Wilcox, and Worth Counties for debris removal and emergency protective measures (Categories A and B), including direct federal assistance, under the Public Assistance program at 75 percent federal funding.

All areas within the State of Georgia 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. 2018–23923 Filed 11–1–18; 8:45 am]

BILLING CODE 9111–11–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–B–1858]

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.
Arizona:						
Yavapai	Town of Chino Valley (18–09–0862P).	The Honorable Darryl L. Croft, Mayor, Town of Chino Valley, Town Hall, 202 North State Route 89, Chino Valley, AZ 86323.	Public Works Department, 1982 Voss Drive, #201, Chino Valley, AZ 86323.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 14, 2019	040094
Yavapai	Unincorporated Areas of Yavapai County (18–09–0862P).	The Honorable Rowle P. Simmons, Chairman, Board of Supervisors, Yavapai County, 1015 Fair Street, Prescott, AZ 86305.	Yavapai County Flood Control District, 1120 Commerce Drive, Prescott, AZ 86305.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 14, 2019	040093
California:						

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.
Riverside	City of Perris (18–09–0229P).	The Honorable Michael M. Vargas, Mayor, City of Perris, 101 North D Street, Perris, CA 92570.	Engineering Department, 170 Wilkerson Avenue, Perris, CA 92570.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 3, 2019	060258
San Diego	City of San Marcos (18–09–0305P).	The Honorable Jim Desmond, Mayor, City of San Marcos, City Hall, 1 Civic Center Drive, San Marcos, CA 92069.	City Hall, 1 Civic Center Drive, San Marcos, CA 92069.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 18, 2019	060296
San Diego	Unincorporated Areas of San Diego County (18–09–0305P).	The Honorable Kristin Gaspar, Chair, Board of Supervisors, San Diego County, 1600 Pacific Highway Room 335, San Diego, CA 92101.	San Diego County Flood Control District, Department of Public Works, 5510 Overland Avenue, Suite 410, San Diego, CA 92123.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 18, 2019	060284
Florida:						
Duval	City of Jacksonville (18–04–3852P).	The Honorable Lenny Curry, Mayor, City of Jacksonville, City Hall at St James Building, 117 West Duval Street, Suite 400, Jacksonville, FL 32202.	City Hall, 117 West Duval Street, Jacksonville, FL 32202.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 3, 2019	120077
St. Johns	Unincorporated Areas of St. Johns County (18–04–3852P).	Mr. Henry Dean, Chairman, St. Johns County Board of Commissioners, 500 San Sebastian View, St. Augustine, FL 32804.	St. Johns County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32084.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 3, 2019	125147
Kansas: Johnson	City of Overland Park (17–07–2677P).	The Honorable Carl Gerlach, Mayor, City of Overland Park, 8500 Santa Fe Drive, Overland Park, KS 66212.	City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 26, 2018	200174
Nebraska:						
Dodge	City of Scribner (18–07–0951P).	The Honorable Ken Thomas, Mayor, City of Scribner, Municipal Office, 508 3rd Street, Scribner, NE 68057.	City Office, 508 3rd Street, Scribner, NE 68057.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 3, 2019	310071
Dodge	Unincorporated Areas of Dodge County (18–07–0951P).	The Honorable Bob Missel, Chairman, Board of Supervisors, Dodge County, 427 North Birchwood, Fremont, NE 68025.	Dodge County Courthouse, 435 North Park Avenue, Fremont, NE 68025.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 3, 2019	310068
Madison	City of Norfolk (18–07–0950P).	The Honorable Josh Moenning, Mayor, City of Norfolk, Norfolk City Administration, 309 North 5th Street, Norfolk, NE 68701.	Planning and Zoning Department, 309 North 5th Street, Norfolk, NE 68701.	*https://msc.fema.gov/portal/advanceSearch.*	Jan. 3, 2019	310147
New Jersey:						
Mercer	City of Trenton (18–02–0221P).	The Honorable Reed Gusciora, Mayor, City of Trenton, 319 East State Street, Mayor's Office 208, 2nd Floor, Trenton, NJ 08608.	Trenton Fire Department, 244 Perry Street, Trenton, NJ 08618.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 21, 2018	345325
Mercer	Township of Hamilton (18–02–0221P).	The Honorable Kelly Yaede, Mayor, Township of Hamilton, P.O. Box 00150, Hamilton, NJ 08650.	Municipal Building, 2090 Greenwood Avenue, Room 307, Hamilton, NJ 08609.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 21, 2018	340246
Ohio:						
Cuyahoga	Village of Chagrin Falls (18–05–2115P).	The Honorable Bill Tomko, Mayor, Village of Chagrin Falls, 21 West Washington Street, Chagrin Falls, OH 44022.	Village Hall, 21 West Washington Street, Chagrin Falls, OH 44022.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 28, 2018	390103
Franklin	City of Dublin (18–05–2353P).	The Honorable Greg Peterson, Mayor, City of Dublin, 5200 Emerald Parkway, Dublin, OH 43017.	Dublin Engineering Building, 5800 Shier-Rings Road, Dublin, OH 43017.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 28, 2018	390673

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.
Franklin	City of Grove City (18–05–1293P).	The Honorable Richard L. Stage, Mayor, City of Grove City, 4035 Broadway Street, Grove City, OH 43123.	City Hall, 4035 Broadway Street, Grove City, OH 43123.	*https://msc.fema.gov/portal/advanceSearch.*	Nov. 30, 2018	390173
Franklin	Unincorporated Areas of Franklin County (18–05–1293P).	The Honorable Kevin L. Boyce, President, Franklin County Board of Commissioners, 373 South High Street 26th Floor, Columbus, OH 43215.	Franklin County Engineer Office, 970 Dublin Road, Columbus, OH 43215.	*https://msc.fema.gov/portal/advanceSearch.*	Nov. 30, 2018	390167
Summit	City of Hudson (18–05–1534P).	The Honorable David A. Basil, Mayor, City of Hudson, 115 Executive Parkway, Suite 400, Hudson, OH 44236.	City Hall, 115 Executive Parkway, Suite 400, Hudson, OH 44236.	*https://msc.fema.gov/portal/advanceSearch.*	Dec. 6, 2018	390660

[FR Doc. 2018–23927 Filed 11–1–18; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA–4400–DR]; [Docket ID FEMA–2018–0001]

Georgia; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Georgia (FEMA–4400–DR), dated October 14, 2018, and related determinations.

DATES: This amendment was issued October 16, 2018.

FOR FURTHER INFORMATION CONTACT: Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646–2833.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Georgia is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of October 14, 2018.

Crisp, Grady, Lee, Mitchell, Terrell, Thomas, and Worth Counties for Individual Assistance (already designated for debris removal and emergency protective measures [Categories A and B], including direct federal assistance under the Public Assistance program).

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050 Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

Brock Long,

Administrator, Federal Emergency Management Agency.

[FR Doc. 2018–23921 Filed 11–1–18; 8:45 am]

BILLING CODE 9111–11–P

DEPARTMENT OF HOMELAND SECURITY

United States Immigration and Customs Enforcement

[1653–0026]

Agency Information Collection Activities; Extension, Without Change, of a Currently Approved Collection: G–79A; Information Relating to Beneficiary of Private Bill

ACTION: 60-Day notice.

The Department of Homeland Security, U.S. Immigration and Customs Enforcement (USICE), is submitting the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until January 2, 2019.

Written comments and suggestions regarding items contained in this notice and especially with regard to the estimated public burden and associated response time should be directed to the PRA Clearance Officer for USICE and sent via electronic mail to *icepra@ice.dhs.gov*.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information 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 agencies 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:* Extension, Without Changes, of a currently approved information collection.

(2) *Title of the Form/Collection:* Information Relating to Beneficiary of Private Bill.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* G–79A; U.S. Immigration and Customs Enforcement.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: State, Local, or Tribal

Government. This form is used by ICE to obtain information from beneficiaries and/or interested parties in Private Bill cases when requested to report by the Committee on the Judiciary.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 100 responses at 60 minutes (1 hour) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 100 annual burden hours.

Dated: October 29, 2018.

Scott Elmore,

PRA Clearance Officer, Office of the Chief Information Officer, U.S. Immigration and Customs Enforcement, Department of Homeland Security.

[FR Doc. 2018–23944 Filed 11–1–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

[OMB Control Number 1615–0130]

Agency Information Collection Activities; Revision of a Currently Approved Collection; Record of Abandonment of Lawful Permanent Resident Status

AGENCY: U.S. Citizenship and Immigration Services, Department of Homeland Security.

ACTION: 60-Day notice.

SUMMARY: The Department of Homeland Security (DHS), U.S. Citizenship and Immigration (USCIS) invites the general public and other Federal agencies to comment upon this proposed revision of a currently approved collection of information. In accordance with the Paperwork Reduction Act (PRA) of 1995, the information collection notice is published in the **Federal Register** to obtain comments regarding the nature of the information collection, the categories of respondents, the estimated burden (*i.e.* the time, effort, and resources used by the respondents to respond), the estimated cost to the respondent, and the actual information collection instruments.

DATES: Comments are encouraged and will be accepted for 60 days until January 2, 2019.

ADDRESSES: All submissions received must include the OMB Control Number 1615–0130 in the body of the letter, the agency name and Docket ID USCIS–2013–0005. To avoid duplicate submissions, please use only *one* of the following methods to submit comments:

(1) *Online.* Submit comments via the Federal eRulemaking Portal website at *http://www.regulations.gov* under e-Docket ID number USCIS–2013–0005;

(2) *Mail.* Submit written comments to DHS, USCIS, Office of Policy and Strategy, Chief, Regulatory Coordination Division, 20 Massachusetts Avenue NW, Washington, DC 20529–2140.

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

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–2013–0005 in the search box. Regardless of the method used for submitting comments or material, all submissions will be posted, without change, to the Federal eRulemaking Portal at *http://www.regulations.gov,* and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to consider limiting the amount of personal information that you provide in any voluntary submission you make to DHS. DHS may withhold information provided in comments from public viewing that it determines may impact the privacy of an individual or is offensive. For additional information, please read the Privacy Act notice that is available via the link in the footer of *http://www.regulations.gov.*

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:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Record of Abandonment of Lawful Permanent Resident Status.

(3) *Agency form number, if any, and the applicable component of the DHS sponsoring the collection:* I–407; USCIS.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals or households. Lawful Permanent Residents (LPRs) use Form I–407 to inform USCIS and formally record their abandonment of lawful permanent resident status. U.S. Citizenship and Immigration Services uses the information collected in Form I–407 to record the LPR's abandonment of lawful permanent resident status.

(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–407 is 13,800 and the estimated hour burden per response is .33 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 4,554 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 $3,381,000.

Dated: October 29, 2018.

Jerry L Rigdon,

Deputy Chief, Regulatory Coordination Division, Office of Policy and Strategy, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. 2018–23945 Filed 11–1–18; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[190A2100DD/AAKC001030/ A0A501010.999900253G]

Indian Gaming; Approval of Tribal-State Class III Gaming Compact Amendment in the State of Oklahoma

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The State of Oklahoma entered into a compact amendment with the Cheyenne and Arapaho Tribes governing certain forms of class III gaming; this notice announces the approval of the Model Tribal Gaming Compact Supplement between the Cheyenne and Arapaho Tribes and State of Oklahoma.

DATES: The compact amendment is effective on November 2, 2018.

FOR FURTHER INFORMATION CONTACT: Ms. Paula L. Hart, Director, Office of Indian Gaming, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219–4066.

SUPPLEMENTARY INFORMATION: Under section 11 of the Indian Gaming Regulatory Act (IGRA) Public Law 100–497, 25 U.S.C. 2701 *et seq.,* the Secretary of the Interior shall publish in the **Federal Register** notice of approved Tribal-State compacts for the purpose of engaging in Class III gaming activities on Indian lands. As required by IGRA and 25 CFR 293.4, all compacts and amendments are subject to review and approval by the Secretary. The compact amendment authorizes the Tribes to engage in certain additional class III gaming activities, provides for the application of existing revenue sharing agreements to the additional forms of class III gaming, and designates how the State will distribute revenue sharing funds.

Dated: September 27, 2018.

Tara Sweeney,

Assistant Secretary—Indian Affairs.

[FR Doc. 2018–23920 Filed 11–1–18; 8:45 am]

BILLING CODE 4337–15–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCAD06000 L51010000.ER0000 LVRWB18B5480 18X; MO 4500126502]

Notice of Availability of the Record of Decision for the EDF Renewable Energy Palen Solar Photovoltaic Project Riverside County, California

AGENCY: Bureau of Land Management, Interior

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) has prepared a Record of Decision (ROD) to Authorize a Right-of-Way (ROW) and amend the California Desert Conservation Area Plan (CDCA Plan) for the EDF Renewable Energy Palen Solar Photovoltaic Project, and by this Notice is announcing its availability. The Assistant Secretary—Land and Minerals Management (ASLM) signed the ROD on October 29, 2018, which constitutes the final decision of the Department, and makes the Approved Land Use Plan Amendment to the CDCA Plan and authorization of a ROW effective immediately. This decision is not subject to appeal under Departmental regulations, and any challenge to this decision, including the BLM Authorized Officer's issuance of the ROW as directed by this decision, must be brought in Federal district court.

DATES: The ASLM signed the ROD on October 29, 2018.

ADDRESSES: Copies of the ROD are available for public inspection at the BLM-Palm Springs-South Coast Field Office at 1201 Bird Center Dr., Palm Springs, CA 92262 and at the BLM-California Desert District Office, 22835 Calle San Juan de Los Lagos, Moreno Valley, CA 92553. Interested persons may also review the ROD on the internet at: *http://goo.gl/5nkFMG.*

FOR FURTHER INFORMATION CONTACT: Mark DeMaio, BLM Project Manager, telephone (760) 833–7100; address, Bureau of Land Management, Palm Springs-South Coast Field Office, 1201 Bird Center Drive, Palm Springs, CA 92262; or email *palensolar@blm.gov.*

Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at (800) 877–8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: EDF Renewable Energy has applied for a ROW from the BLM to construct, operate, maintain, and decommission a 500 megawatt (MW) solar photovoltaic facility near Desert Center, Riverside County, California. The ROW application area comprises about 4,200 acres, with a proposed project footprint of 3,381 acres. The proposed project also includes construction of a 6.7-mile single circuit 230 kilovolt generation interconnection (gen-tie) transmission line connecting the project to the Southern California Edison Red Bluff Substation. The BLM determined that an amendment to the CDCA Plan would be necessary to authorize the project. Riverside County is the lead agency under the California Environmental Quality Act (CEQA). The BLM and Riverside County prepared a joint Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) for compliance with NEPA and CEQA.

This Project application was originally submitted in 2007 as the Palen Solar Power Project (PSPP) by Palen Solar I LLC (PSI), a wholly owned subsidiary of Solar Millennium. The PSPP was proposed as a solar trough project and was the subject of an EIS under NEPA. The BLM, pursuant to its obligations under FLPMA and NEPA, published a draft EIS, followed by a Proposed CDCA Plan Amendment and Final EIS on May 13, 2011 (76 FR 28064). Before a Record of Decision was issued, PSI informed the BLM that it would not construct the Project due to bankruptcy. As a result, a decision was not issued, the CDCA Plan was not amended, and a ROW grant was not issued for the PSPP. On June 21, 2012, the bankruptcy court approved the transfer of the application from PSI to Palen Solar III LLC (PSIII). BrightSource Energy Inc. (BSE) then acquired all rights to PSIII at auction. PSIII submitted a revised ROW application to the BLM for the Palen Solar Electricity Generating System Project (PSEGS), a 500 MW concentrating solar power tower technology facility and single-circuit 230 kV gen-tie line. On July 27, 2013, the BLM issued a Draft Supplemental EIS and Plan Amendment to evaluate the potential additional environmental impacts caused by PSEGS. As part of the state permitting process, the California Energy Commission evaluated the PSEGS under CEQA, and issued Preliminary and Final Staff Assessments for the amended project in June and November of 2013,

respectively. The BLM did not issue a Final Supplemental EIS for the PSEGS Project, because BSE and its partner, Abengoa Solar Inc., abandoned the State authorization proceedings at the California Energy Commission. In December 2015, after Abengoa Solar's partner conveyed its project interest to Abengoa, EDF Renewable Energy acquired Abengoa Solar's complete interest in the PSEGS project. EDF Renewable Energy then submitted a revised ROW application for the Proposed Project, which is analyzed in the Final Supplemental EIS/EIR and Proposed Land Use Plan Amendment underlying this ROD.

The BLM held public meetings on the revised ROW application in June and August 2016 in Palm Springs, California. On October 27, 2017, the BLM issued the Draft Supplemental EIS/EIR and Draft Land Use Plan Amendment, which analyzed the impacts of the Proposed Action and two action alternatives, in addition to a No Action Alternative. Alternative 1, Reduced Footprint, would be a 500 MW Photovoltaic (PV) array and gen-tie on about 3,140 acres. It avoids the central and largest desert wash and incorporates a more efficient use of the land for the solar array. Alternative 2, Avoidance Alternative, would be a solar PV project on about 1,620 acres (160 to 230 MW). Like the Proposed Action, under each of these alternatives, the BLM would amend the CDCA Plan to allow the project. Under the No-Action Alternative, the BLM would deny the ROW application, and would not amend the CDCA Plan to allow the project.

The Draft Supplemental EIS/EIR and Draft Land Use Plan Amendment included analysis of the revised ROW application as it related to issues such as: (1) Updated description of the Proposed Project, based on the revised ROW application; (2) Impacts to cultural resources and tribal concerns; (3) Impacts to the Sand Transport Corridor and Mojave fringe-toed lizard habitat and washes; (4) Impacts to Joshua Tree National Park; (5) Impacts to avian species; (6) Impacts to visual resources; and (7) Relationship between the Proposed Project and the CDCA Plan, including the amendment to the CDCA Plan by the 2016 Desert Renewable Energy Conservation Plan.

The Draft Supplemental EIS/EIR was released in October 2017, which included a formal 45-day public comment period. The BLM held a public meeting on November 14, 2017, in Palm Desert, CA. Fourteen individuals attended that meeting. The BLM received 40 comment letters during the comment period.

Comments on the Draft Supplemental EIS/EIR and Draft Land Use Plan Amendment received from the public and internal agency review were considered and incorporated as appropriate into the EIS/EIR analysis. These comments resulted in the addition of clarifying text, but did not result in changes in the design, location, or timing of the Project in a way that would cause significant effects to the human environment outside of the range of effects analyzed in the EIS/EIR. Similarly, none of the letters identified new significant circumstances or information relevant to environmental concerns that bear on the Project and its effects. A response to substantive comments is included in the Final Supplemental EIS/EIR and Proposed Land Use Plan Amendment, released in May 2018. The BLM selected Alternative 1, the Reduced Footprint, as the Agency Preferred Alternative in the Final Supplemental EIS/EIR and Proposed Land Use Plan Amendment. Five protests were received on the Final EIS, and the issues raised have been resolved. As a result, only minor editorial modifications were made in response to the issues raised in preparing the Approved Action. These modifications provided further clarification of some of the decision elements. The California Governor's consistency review identified no inconsistences with the Final SEIS for the Preferred Alternative.

With this ROD, the BLM adopts the Agency Preferred Alternative. The ASLM approval of this decision is not subject to administrative appeal under Departmental regulations at 43 CFR part 4 pursuant to 43 CFR 4.410(a)(3). Any challenge to this decision must be brought in Federal District Court and is subject to 42 U.S.C. 4370m-6(a)(1).

Authority: 40 CFR 1506.6; 40 CFR 1506.10; 43 CFR 1610.2; 43 CFR 1610.5; 42 U.S.C. 4370m-6(a)(1)

Brian C. Steed,

Deputy Director, Policy and Programs, Exercising the Authority of the Director.

[FR Doc. 2018–24017 Filed 11–1–18; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVS01000 L5105.0000.EA0000 LVRCF1806490 18X MO# 4500129489]

Notice of Temporary Closure of Public Land in Clark County, Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Temporary closure on public lands in Nevada.

SUMMARY: The Las Vegas Field Office announces the temporary closure of certain public lands under its administration. The Off-Highway Vehicle (OHV) race area in Laughlin is used by OHV recreationists, and the temporary closure is needed to limit their access to the race area and to minimize the risk of potential collisions with spectators and racers during the 2018 Rage at the River Off-Highway Vehicle Races.

DATES: The temporary closure for the 2018 Rage at the River will go into effect at 12:01 a.m. on December 8, 2018 and will remain in effect until 11:59 p.m. on December 9, 2018.

ADDRESSES: The temporary closure order, communications plan, and map of the temporary closure area will be posted at the BLM Las Vegas Field Office, 4701 North Torrey Pines Drive, Las Vegas, Nevada 89130 and on the BLM website: *www.blm.gov.* These materials will also be posted at the access point of the Laughlin race area and the surrounding areas.

FOR FURTHER INFORMATION CONTACT: Kenny Kendrick, Outdoor Recreation Planner, (702) 515–5073. *Kkendrick@blm.gov.* Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The Las Vegas Field Office announces the temporary closure of certain public lands under its administration. This action is being taken to help ensure public safety during the official permitted running of the 2018 Rage at the River.

The public lands affected by this closure are described as follows:

Mount Diablo Meridian, Nevada

T. 32 S., R. 66 E.,
sec. 8, NW¼NE¼, S½NE¼, NW¼, SW¼, and SE¼;
sec. 9;
sec. 10, S½NE¼, S½NW¼, SW¼, and SE¼;
sec. 11, S½NE¼, S½NW¼, SW¼, and SE¼;
sec. 14;
sec. 15, E½;
sec. 16, NE¼, W½, and N½SE¼;
sec. 17, E½NE¼, N½NW¼NE¼, SE¼NW¼NE¼, NE¼SW¼NE¼, S½SW¼NE¼, W½NE¼NW¼, W½NW¼, SE¼NW¼, S½.

The areas described aggregate 5,120 acres, according to the official plats of the surveys of the said lands, on fie with the BLM.

Roads leading into the public lands under the temporary closure will be posted to notify the public of the closure. The closure area includes State Route 163 to the north, T.32S., R.66E sections 8 and 17 to the west, Private and state land in T.32S., R.66E sections 20,21,22 and 23 and is bracketed by Bruce Woodbury Dr. to the south and southwest, and Thomas Edison Dr. to the east. Under the authority of Section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 733(a)), 43 CFR 8360.0–7 and 43 CFR 8364.1, the BLM will enforce the following rules in the area described above: The entire area as listed in the legal description above is closed to all vehicles and personnel except Law Enforcement, Emergency Vehicles, event personnel, event participants and spectators. Access routes leading to the closed area are closed to vehicles. No vehicle stopping or parking in the closed area except for designated parking areas will be permitted. Event participants and spectators are required to remain within designated areas only.

The following restrictions will be in effect for the duration of the closure to ensure public safety of participants and spectators. Unless otherwise authorized, the following activities within the closure area are prohibited:

- Camping.
- Possession and/or consuming any alcoholic beverage unless the person has reached the age of 21 years.
- Discharging or use of firearms, other weapons.
- Possession and/or discharging of fireworks.
- Allowing any pet or other animal in their care to be unrestrained at any time. Animals must be on a leash or other restraint no longer than 3 feet.
- Operation of any vehicle including All Terrain Vehicles (ATV), motorcycles, Utility Terrain Vehicles (UTV), golf carts, and any off-highway vehicle (OHV), which is not legally registered for street and highway operation, including operation of such a vehicle in spectator viewing areas.
- Parking any vehicle in violation of posted restrictions, or in such a manner as to obstruct or impede normal or emergency traffic movement or the parking of other vehicles, create a safety hazard, or endanger any person, property, or feature. Vehicles so parked are subject to citation, removal, and impoundment at the owner's expense.
- Operating a vehicle through, around or beyond a restrictive sign, recognizable barricade, fence, or traffic control barrier or device.
- Failing to maintain control of a vehicle to avoid danger to persons, property, or wildlife.
- Operating a motor vehicle without due care or at a speed greater than 25 mph. Signs and maps directing the public to designated spectator areas will be provided by the event sponsor.

Exceptions: Temporary closure restrictions do not apply to activities conducted under contract with the BLM, agency personnel monitoring the event, or activities conducted under an approved plan of operation. Authorized users must have, in their possession, a written permit or contract from BLM signed by the authorized officer.

Enforcement: Any person who violates this temporary closure may be tried before a United States Magistrate and fined in accordance with 18 U.S.C. 3571, imprisoned no more than 12 months under 43 U.S.C. 1733(a) and 43 CFR 8360.0–7, or both. In accordance with 43 CFR 8365.1–7, State or local officials may also impose penalties for violations of Nevada law.

(Authority: 43 CFR 8360.0–7 and 8364.1)

Gayle Marrs-Smith,

Field Manager—Las Vegas Field Office.

[FR Doc. 2018–24018 Filed 11–1–18; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNVB0I000.L 71220000.EX0000.LVTFF1486020 MO# 4500101184]

Notice of Availability of the Draft Environmental Impact Statement for the Proposed Deep South Expansion Project, Lander and Eureka Counties, Nevada; Correction

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice; Correction.

SUMMARY: The Bureau of Land Management (BLM) published a document in the **Federal Register** on October 22, 2018, announcing the availability of a Draft Environmental Impact Statement (EIS) and the opening of the public comment period. The Notice included inaccurate website links for submitting comments, and to access the Draft EIS. This notice corrects the errors to provide accurate links.

FOR FURTHER INFORMATION CONTACT: Jennifer Noe, by telephone, 202–912–7442, or by email, *jnoe@blm.gov.*

CORRECTION: In the **Federal Register** of October 22, 2018, in FR Doc. 2018–22979, on page 53292, in the second column, correct the ''Addresses'' caption to read:

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

- *Email: blm_nv_bmdo_mlfo_DeepSouthEIS@blm.gov.*
- *Mail:* 50 Bastian Road, Battle Mountain, Nevada 89820.
- *Fax:* 775–635–4034.

In the **Federal Register** of October 22, 2018, in FR Doc. 2018–22979, on page 53292, in the second column, correct the **DATES** caption to read:

DATES: To ensure comments will be considered, the BLM must receive written comments on the Draft EIS within 45 days following the date the Environmental Protection Agency publishes its Notice of Availability in the **Federal Register**. The date(s) and location(s) of any public meetings or other public involvement activities will be announced at least 15 days in advance through public notices, media releases, local media, newspapers, mailings, and the BLM website at: *https://go.usa.gov/xP9wk.*

Jeff Krauss,

Acting Assistant Director, Communications.

[FR Doc. 2018–24011 Filed 11–1–18; 8:45 am]

BILLING CODE 4310–HC–P

INTERNATIONAL TRADE COMMISSION

[USITC SE–18–052]

Sunshine Act Meetings

TIME AND DATE: November 8, 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. 701–TA–589 and 731–TA–1394–1395 (Final) (Forged Steel Fittings from China and Italy). The Commission is currently scheduled to complete and file its determinations and views of the Commission by November 19, 2018.
5. 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: October 30, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–24086 Filed 10–31–18; 11:15 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1076]

Certain Magnetic Data Storage and Tapes and Cartridges Containing the Same (II); Notice of Requests for Statements on the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the presiding administrative law judge has issued a Final Initial Determination on Section 337 Violation and a Recommended Determination on Remedy and Bonding in the above-captioned investigation. The Commission is soliciting comments on public interest issues raised by the recommended relief, should the Commission find a violation. This notice is soliciting public interest comments from the public only. Parties are to file public interest submissions pursuant to Commission rules.

FOR FURTHER INFORMATION CONTACT: Carl Bretscher, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2382. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for this investigation may be viewed on the Commission's Electronic Docket Information System (''EDIS'') (*https://edis.usitc.gov*). Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205–1810.

SUPPLEMENTARY INFORMATION: Section 337 of the Tariff Act of 1930 (''Section 337'') provides that if the Commission finds a violation it shall exclude the articles concerned from the United States unless after considering the public interest factors listed in 19 U.S.C. 1337(d)(1), it finds such articles should not be prevented from entry. A similar provision applies to cease and desist orders. 19 U.S.C. 1337(f)(1).

The Commission is soliciting comments on public interest issues raised by the recommended relief should the Commission find a violation, specifically whether the Commission should issue: (1) A limited exclusion order (''LEO'') against certain magnetic data storage devices that are imported, sold for importation, and/or sold after importation by Respondents Sony Corporation of Tokyo, Japan, Sony Storage Media Solutions Corporation of Tokyo, Japan, Sony Storage Media Manufacturing Corporation of Miyagi, Japan, Sony DADC US Inc. (''Sony DADC'') of Terre Haute, Indian, and Sony Latin America Inc. (''SOLA'') of Miami, Florida; and (2) a cease and desist order (''CDO'') against Sony DADC and SOLA.

The Commission is interested in further development of the record on the public interest in this investigation. Accordingly, parties are to file public interest submissions pursuant to 19 CFR 210.50(a)(4). In addition, members of the public are hereby invited to file submissions of no more than five (5) pages, inclusive of attachments, concerning the public interest in light of the administrative law judge's Recommended Determination on Remedy and Bonding issued in this investigation on October 25, 2018. Comments should address whether issuance of the LEO and CDO in this investigation, should the Commission find a violation, 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 recommended orders are used in the United States;

(ii) Identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) Identify like or directly competitive articles that complainants, their licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) Indicate whether complainants, complainants' licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the recommended exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) Explain how the LEO and CDO would impact consumers in the United States.

Written submissions from the public must be filed no later than by close of business on Friday, November 30, 2018.

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 section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the investigation number (''Inv. No. 337–TA–1065'') in a prominent place on the cover page and/or the first page. (*See Handbook for Electronic Filing Procedures, https://www.usitc.gov/secretary/documents/handbook_on_filing_procedures.pdf.*). 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 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, solely for cybersecurity purposes. All contract personnel will sign appropriate nondisclosure agreements. All non-confidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: October 29, 2018.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2018–23967 Filed 11–1–18; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Undersea Technology Innovation Consortium

Notice is hereby given that, on October 9, 2018, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Undersea Technology Innovation Consortium (''UTIC'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to the venture and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Pursuant to Section 6(b) of the Act, the identities of the parties to the venture are: 6Fathoms Consulting LLC, Austin, TX; Adolf Meller Co. dba Meller Optics, Providence, RI; Advanced Acoustic Concepts LLC, Hauppauge, NY; Advanced Systems Supportability Engineering Technologies and Tools, Inc. (ASSETT), Manassas, VA; Aerojet Rocketdyne, Inc., Huntsville, AL; Alion Science and Technology Corporation, Burr Ridge, IL; AMETEK SCP, Westerly, RI; AMSEC, LLC, Virginia Beach, VA; ANDRO Computational Solutions LLC, Rome NY; Applied Physical Sciences Corp., Groton, CT; Applied Research in Acoustics LLC (dba ARiA), Washington, DC; Applied Technical Systems, Inc. (ATS), Silverdale, WA; Aquabotix Technology Corporation, Fall River, MA; Arete Associates, Northridge, CA; Arnold Magnetic Technologies Corporation, Rochester, NY; Atlantic Diving Supply, Inc. (ADS), Virginia Beach, VA; ATLAS North America (ANA), Yorktown, VA; BAE Systems Information and Electronic Systems Integration, Inc., Hudson, NH; BAE Systems Technology Solutions & Services, Inc., Rockville, MD; Barber-Nichols, Inc., Arvada, CO; Battelle Memorial Institute, Columbus, OH; Blue Institute Labs dba Blue Incubator PBC, Plymouth, MA; Blue Ridge Envisioneering, Chantilly, VA; BlueHaptics, Inc. dba Olis Robotics, Seattle, WA; Booz Allen Hamilton, Inc., McLean, VA; Cardinal Engineering LLC, Annapolis, MD; CeraNova Corporation, Marlborough, MA; Clear Carbon and Components, Inc., Bristol, RI; Creare, LLC, Hanover, NH; CSA Ocean Sciences, Inc., Stuart, FL; Cydecor, Inc., Arlington, VA; Daniel H. Wagner Associates, Inc., Exton, PA; DBV Technology LLC, North Kingstown, RI; Dioxide Materials, Inc., Boca Raton, FL; Dive Technologies, Inc., Hingham, MA; DRS Power Technology, Inc. dba Leonardo DRS, Fitchburg, MA; EaglePicher Technologies, St. Louis, MO; EdgeOne LLC dba EdgeTech, Boca Raton, FL; EpiSys Science, Inc., Poway, CA; Epsilon Systems Solutions, Inc., San Diego, CA; Evans Capacitor Company, East Providence, RI; General Atomics, San Diego, CA; General Dynamics Mission Systems, Inc., Fairfax, VA; Global Foundation for Ocean Exploration, West Redding, CT; Globe Composite Solutions Ltd., Stoughton, MA; Granite State Manufacturing, Manchester, NH; Greensea Systems, Inc., Richmond, VT; Harpoon Ventures LLC, Menlo Park, CA; Harris Corporation GCS, Palm Bay, FL; Hunter Mechanical Design LLC (HMD, LLC), Marion, MA; Hydroid, Inc., Pocasset, MA; In-Depth Engineering Corporation, Fairfax, VA; Innoveering LLC, Ronkonkoma, NY; iXblue Defense Systems, Inc., Natick, MA; Joel Drake Consulting LLC, San Diego, CA; JPAnalytics LLC, East Falmouth, MA; KMS Solutions LLC, Alexandria, VA; L3 Adaptive Methods, Inc., Centreville, VA; L3 OceanServer, Inc., Fall River, MA; LBI, Inc., Groton, CT; Left of Creative LLC, Wakefield, RI; Leidos, Inc., VA; Liquid Robotics, Inc., Sunnyvale, CA; Lockheed Martin Sippican, Inc., Marion, MA; Marine Acoustics, Inc., Middletown, RI; Marine Ventures International, Inc., Stuart, FL; Maritime Planning Associates, Inc., Newport, RI; McLaughlin Research Corporation, New London, CT; Metron, Inc., Reston, VA; MI Technical Solutions, Chesapeake, VA; Mide Technology Corporation, Medford, MA; MIKEL, Inc., Middletown, RI; Moog, Inc. Space & Defense Group, Elma, NY: MSI Transducers Corp., Littleton, MA; Nautilus Defense LLC, Pawtucket, RI; Navatek Ltd, Honolulu, HI; Navmar Applied Sciences, Warminster, PA; Northern Defense Industries LLC, Alexandria, VA; Northrop Grumman Systems Corporation, Linthicum, MD; NOVA Power Solutions, Inc., Sterling, VA; Numurus LLC, Seattle, WA; Ocean Specialists, Inc., Stuart, FL; Oceaneering International, Inc., Hanover, MD; Oewaves, Inc., Pasadena, CA; Ordnance Technology Service, Inc., Mentor, OH; Pacific Science & Engineering, Inc. (PSE), San Diego, CA; Phelps2020, Inc., Knoxville, TN; Phoenix International Holdings, Inc., Largo, MD; Physical Optics Corporation, Torrance, CA; Physical Sciences, Inc., Andover, MA; Planck Aerosystems, Inc., San Diego, CA; Polaris Contract Manufacturing, Inc., Marion, MA; PowerDocks LLC, Fall River, MA; Presco, Inc., Woodbridge, CT; Progeny Systems Corporation, Manassas, VA; Prometheus, Inc., Sharon, MA; Psionic LLC, Hampton, VA; PURVIS Systems Incorporated, Middletown, RI; QinetiQ North America, Waltham, MA; QorTek, Inc., Williamsport, PA; QUASAR Federal Systems, Inc., San Diego, CA; Radiance Technologies, Inc., Huntsville, AL; Raytheon BBN Technologies Corp., Cambridge, MA; Raytheon Company, Portsmouth, RI; Remote Sensing Solutions, Barnstable, MA; Research Associates of Syracuse, Inc., Rome, NY; Ride, Inc., West Greenwich, RI; Riptide Autonomous Solutions LLC, Plymouth, MA; Rite-Solutions, Inc., Pawcatuck, CT; SA Photonics, Inc., Los Gatos, CA; Saab Defense and Security USA, East Syracuse, NY; SCI Technology, Inc., Huntsville, AL; Science Applications International Corporation (SAIC), Reston, VA; Scientific Solutions, Inc., Nashua, NH; SeaRobotics, Inc., Stuart, FL; Sechan Electronics, Inc., Lititz, PA; Signal Systems Corporation, Millersville, MD; Soar Technology, Inc., Ann Arbor, MI; Sonalysts, Inc., Waterford, CT; Sound & Sea Technology, Inc., Lynnwood, WA; Sparton Deleon Springs LLC, Deleon Springs, FL; Spatial Integrated Systems, Inc., Virginia Beach, VA; SRC, Inc., N. Syracuse, NY; Submergence Group LLC, Chester, CT; SubSeaSail LLC, San Diego, CA; Systems & Technology Research LLC, Woburn, MA; Systems Engineering Associates Corporation (dba SEA CORP), Middletown, RI; Systems Planning and Analysis, Inc., Alexandria, VA; Tampa Deep Sea Xplorers LLC, Tampa, FL; Tech Resources, Inc., Milford, NH; Teledyne Benthos, a Business Unit of Teledyne Instruments, Inc., North Falmouth, MA; Teledyne Brown Engineering, Inc., Huntsville, AL; Tethers Unlimited, Inc., Bothell, WA; ThayerMahan, Inc., Groton, CT; The Aegis Technologies Group, Inc., Huntsville, AL; The Charles Stark Draper Laboratory, Inc., Cambridge, MA; The Metamorphosis Group, Inc., Vienna, VA; The Regents of the University of California, UC San Diego's Scripps Institution of Oceanography (UCSD), La Jolla, CA; Thornton

Tomasetti, Inc., Washington, DC; Toyon Research Corporation, Goleta, CA; Transtecs Corporation, Arlington, VA; Triton Systems, Inc., Chelmsford, MA; Ultra Electronics Ocean Systems, Inc., Braintree, MA; UnderSea Sensor Systems, Inc. (USSI), Columbia City, IN; University of Florida Board of Trustees, Gainesville, FL; University of Rhode Island, Kingston, RI; Viasat, Inc., Carlsbad, CA; Visionary Products, Inc. (dba VPI Technology Group), Draper, UT; Welkins LLC, Downers Grove, IL; Woods Hole Oceanographic Institution, Woods Hole, MA; and World Wide Technology, Maryland Heights, MO.

The general area of UTIC's planned activity is conducting research, development and testing in cooperation with the Government leading to technology demonstrations in undersea and maritime technology applications and solutions through the following technology areas: Sensors and Sonar; Platform and Payload Integration; Undersea Distributed Networked Systems; Electronics/Optics/Materials; Passive Sensing; Undersea Satellites; Energy Storage and Release; Virtualization; Machine Learning; Threat Monitoring and Prediction; Cooperative Force Torpedo Defense; Undersea Warfare Analysis; Multi-Domain Fusion; Electronic Warfare; Distributed and Autonomous Sensors; USW Weapons and Autonomous Vehicles; Autonomy; Quantum Computing; Bio-Inspired Sensors; Environmental Sensing, Monitoring and Prediction; In-Situ Energy Sources; and Multi-Dimensional Display.

Suzanne Morris,

Chief, Premerger and Division Statistics Unit Antitrust Division.

[FR Doc. 2018–23984 Filed 11–1–18; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Cooperative Research Group on Corrosion Under Insulation

Notice is hereby given that, on October 4, 2018, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Southwest Research Institute—Cooperative Research Group on Cooperative Research Group on Corrosion Under Insulation (''CUI–JIP'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, The Dow Chemical Company, Freeport, TX, has been added as a party to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and CUI–JIP intends to file additional written notifications disclosing all changes in membership.

On March 22, 2018, CUI–JIP filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on April 24, 2018 (83 FR 17851).

The last notification was filed with the Department on September 6, 2018. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on September 17, 2018 (83 FR 46972).

Suzanne Morris,

Chief, Premerger and Division Statistics Unit, Antitrust Division.

[FR Doc. 2018–23988 Filed 11–1–18; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Cooperative Research Group on ROS-Industrial Consortium-Americas

Notice is hereby given that on September 28, 2018, Pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Southwest Research Institute—Cooperative Research Group on ROS-Industrial Consortium-Americas (''RIC-Americas'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Stratasys, Inc., Eden Prairie, MN, and Cognex Corporation, Natick, MA, have withdrawn as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and RIC-Americas intends to file additional written notifications disclosing all changes in membership.

On April 30, 2014, RIC-Americas filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 9, 2014 (79 FR 32999).

The last notification was filed with the Department on August 17, 2018. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on September 4, 2018 (83 FR 44904).

Suzanne Morris,

Chief, Premerger and Division Statistics Unit, Antitrust Division.

[FR Doc. 2018–23983 Filed 11–1–18; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Medical Technology Enterprise Consortium

Notice is hereby given that, on October 12, 2018, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Medical Technology Enterprise Consortium (''MTEC'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Specifically, 8i Labs, Inc., Los Angeles, CA; Adaptive Phage Therapeutics, Inc. (Aphage), Gaithersburg, MD; Aleo BME, Inc., State College, PA; American Defense International (ADI), Washington, DC; Aptima, Inc., Woburn, MA; Atlantic Diving Supply, Inc. (ADS), Virginia Beach, VA; Benchmark Electronics, Inc., Scottsdale, AZ; BioMojo LLC, Cary, NC; BioSpyder Technologies, Inc., Carlsbad, CA; Brain Mapping Foundation, West Hollywood, CA; Brain Power, LLC, Cambridge, MA; BrainScope Company, Inc., Bethesda, MD; CAE Healthcare, Inc., Sarasota, FL; Carmell Therapeutics Corporation, Pittsburgh, PA; Case Western Reserve University, Cleveland, OH; Cell Guidance Systems Ltd.,

Cambridge, UK; Clear Scientific, LLC, Cambridge, MA; Cornerstone Government Affairs, Inc., Washington, DC; DePuy Synthes Products, Inc., Raynham, MA; Dignitas Technologies, Orlando, FL; ECM Therapeutics, Inc., Warrendale, PA; ElMindA Ltd., Herzliya, Israel; Family Health International DBA FHI 360, Durham, NC; Hypatia Project, Reston, VA; Institutes for Behavior Resources, Inc. (IBR), Baltimore, MD; Integrated MicroSciences, LLC, Frederick, MD; J. Craig Venter Institute (JCVI), Rockville, MD; KaloCyte, Inc., St. Louis, MO; Lieber Institute, Inc., Baltimore, MD; NanoDirect, LLC, Baltimore, MD; OXYVITA, Inc., Middletown, NY; Parsons Government Services, Inc., Pasadena, CA; Protocentral, Inc., Woburn, MA; Q2Pharma, Haifa, Israel; RAIN Scientific, Inc., Asheville, NC; Rehat, LLC, Pittsburgh, PA; Research Foundation for Mental Hygiene, Inc. (NYSPI), New York, NY; Responde2 Corporation, Mountain View, CA; Saint Barnabas Medical Center (SBMC), Livingston, NJ; San Diego Blood Bank, San Diego, CA; SmartMD Systems, Inc., Manchester Center, VT; Sonica LLC, Evanston, IL; Spire, San Francisco, CA; Syracuse University, Syracuse, NY; The Charles Stark Draper Laboratory, Inc. (Draper), Cambridge, MA; The University of Arizona, Defense and Security Research Institute (DSRI), Tucson, AZ; Trauma Insight, LLC, San Antonio, TX; Trustees of Boston University, Boston, MA; University of Central Florida Research Foundation, Inc., Orlando, FL; University of Houston—Cullen College of Engineering, Houston, TX; Vivonics, Inc., Bedford, MA; and Washington State University, Pullman, WA; have been added as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and MTEC intends to file additional written notifications disclosing all changes in membership.

On May 9, 2014, MTEC filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on June 9, 2014 (79 FR 32999).

The last notification was filed with the Department on May 3, 2018. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on June 19, 2018 (83 FR 28448).

Suzanne Morris,

Chief, Premerger and Division Statistics Unit Antitrust Division.

[FR Doc. 2018–23989 Filed 11–1–18; 8:45 am]

BILLING CODE 4410–11–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–392]

Bulk Manufacturer of Controlled Substances Registration

ACTION: Notice of registration.

SUMMARY: The registrants listed below have applied for and been granted registration by the Drug Enforcement Administration (DEA) as bulk manufacturers of various classes of schedule I and II controlled substances.

SUPPLEMENTARY INFORMATION: The companies listed below applied to be registered as bulk manufacturers of various basic classes of controlled substances. Information on previously published notices is listed in the table below. No comments or objections were submitted for these notices.

Company	FR citation	Published
Chemtos, LLC.	83 FR 37520	August 1, 2018.
Johnson Matthey Inc.	83 FR 34880	July 23, 2018.
AMRI Rensselaer, Inc.	83 FR 38179	August 3, 2018.

The DEA has considered the factors in 21 U.S.C. 823(a) and determined that the registration of these registrants to manufacture the applicable basic classes of controlled substances is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971. The DEA investigated each of the company's maintenance of effective controls against diversion by inspecting and testing each company's physical security systems, verifying each company's compliance with state and local laws, and reviewing each company's background and history.

Therefore, pursuant to 21 U.S.C. 823(a), and in accordance with 21 CFR 1301.33, the DEA has granted a registration as a bulk manufacturer to the above listed companies.

Dated: October 24, 2018.

John J. Martin,

Assistant Administrator.

[FR Doc. 2018–24005 Filed 11–1–18; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–392]

Bulk Manufacturer of Controlled Substances Application: Janssen Pharmaceuticals, Inc.

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before January 2, 2019.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: DEA Federal Register Representative/DPW, 8701 Morrissette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: The Attorney General has delegated his authority under the Controlled Substances Act to the Administrator of the Drug Enforcement Administration (DEA), 28 CFR 0.100(b). Authority to exercise all necessary functions with respect to the promulgation and implementation of 21 CFR part 1301, incident to the registration of manufacturers, distributors, dispensers, importers, and exporters of controlled substances (other than final orders in connection with suspension, denial, or revocation of registration) has been redelegated to the Assistant Administrator of the DEA Diversion Control Division (''Assistant Administrator'') pursuant to section 7 of 28 CFR part 0, appendix to subpart R.

In accordance with 21 CFR 1301.33(a), this is notice that on September 13, 2018, Janssen Pharmaceuticals, Inc., Buildings 1–5 & 7–14, 1440 Olympic Drive, Athens, Georgia 30601 applied to be registered as a bulk manufacturer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
Methylphenidate	1724	II
Hydromorphone	9150	II
Hydrocodone	9193	II
Oripavine	9330	II
Thebaine	9333	II
Tapentadol	9780	II

The company plans to manufacture the above-listed controlled substances in bulk for distribution to its customers.

Dated: October 24, 2018.

John J. Martin,

Assistant Administrator.

[FR Doc. 2018–24006 Filed 11–1–18; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Amended Consent Decree Under the Clean Air Act

On October 25, 2018, the Department of Justice lodged a proposed Amended Consent Decree with the United States District Court of the Virgin Islands in the lawsuit entitled *United States of America* v. *Virgin Islands Water and Power Authority,* Civil Action No. 3:14–cv–00086.

The original Consent Decree resolved the Clean Air Act violations as alleged in the Complaint filed by the United States on October 30, 2014. The violations alleged in the Complaint with respect to VIWAPA's St. Thomas facility include VIWAPA's failure to properly operate and/or maintain its water injection systems on its gas turbine units, failure to operate in compliance with NO_X, sulfuric acid mist, particulate matter and VOC emission limits, failure to operate in compliance with opacity limits, failure to perform required audits and maintain required quality data availability, failure to properly operate and calibrate the continuous emission monitoring systems (CEMS) for NO_X and CO, failure to conduct stack testing every 30 months, and failure to properly report non-compliance. The violations alleged in the Complaint with respect to VIWAPA's St. John facility concern VIWAPA's failure to comply with the RICE NESHAP regulations, failure to timely submit a Title V renewal application and operation without a Title V permit, and failure to conduct stack testing every 30 months.

The Consent Decree, entered by the Court on September 30, 2016, requires VIWAPA to generate a high percentage of its KWh from liquid propane gas or liquid natural gas and renewables, to implement a spare parts inventory program, to control NO_X emissions through improved operation of its water injection system, to maintain and operate continuous emissions monitoring systems on specified units, to operate a video camera system for visible emissions, to perform stack testing, and to conduct targeted self-audits and third party audits given its long term compliance problems. The Consent Decree also required a $1,300,000 penalty, which VIWAPA has paid. The proposed Amended Consent Decree makes certain changes to the Consent Decree, including: Updating references to current operating units; adding new units called reciprocating internal combustion engines to the requirements of Paragraph 13 and any requirements associated with the requirements of Paragraph 13; updating aspects of the Consent Decree that have become outdated and are no longer relevant to its enforcement; addressing the current status of the St. John Unit; edits to Paragraph 21 regarding the Atomizer on Unit 14; and adding a date certain for the performance of a stack test.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environmental and Natural Resources Division, and should refer to *United States* v. *Virgin Islands Water and Power Authority,* DOJ Ref. # 90–5–2–1–10424. All comments must be submitted no later than thirty days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By e-mail	*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: *http://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 $22.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Robert Maher,

Assistant Section Chief, Environmental Enforcement Section, Environment & Natural Resources Division.

[FR Doc. 2018–23985 Filed 11–1–18; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

U.S. Marshals Service

[OMB Number 1105–0096]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension With No Changes, of a Previously Approved Collection; Sequestered Juror Information Form

AGENCY: U.S. Marshals Service, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), U.S. Marshals Service (USMS), 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 information collection was previously published in the **Federal Register** on August 29, 2018, allowing for a 60-day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until December 3, 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 Nicole Timmons either by mail at CG–3, 10th Floor, Washington, DC 20530–0001, by email at *Nicole.Timmons@usdoj.gov,* or by telephone at 202–236–2646. 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:* Extension of a currently approved collection.

(2) *The Title of the Form/Collection:* Sequestered Juror Information Form.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:*

Form number: Form USM–523A.

Component: United States Marshals Service, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Primary: Individuals/households.

Abstract: The United States Marshals Service is responsible for ensuring the security of federal courthouses, courtrooms, and federal jurist. This information assists Marshals Service personnel in the planning of, and response to, potential security needs of the court and jurors during the course of proceedings. The authority for collecting the information on this form is 28 U.S.C. 509, 510 and 561 *et seq.*

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 14 respondents will utilize the form, and it will take each respondent approximately 4 minutes to complete the 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 1 hour, which is equal to (14 (total # of annual responses) * 4 minutes = 56 minutes or 1 hour).

(7) *An Explanation of the Change in Estimates:* The adjustments for this information collection are an increase in the number of respondents by 4,500, and an increase in the number of responses by 107,000. As a result of these increases, the annual burden hours has increased by 53,500 hours.

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: October 29, 2018.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2018–23936 Filed 11–1–18; 8:45 am]

BILLING CODE 4410–14–P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Request for Comments; Consumer Expenditure Surveys: Quarterly Interview and Diary

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting the Bureau of Labor Statistics (BLS) sponsored information collection request (ICR) revision titled, ''Consumer Expenditure Surveys: Quarterly Interview and Diary,'' to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995. Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before December 3, 2018.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at *http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201806-1220-001* (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–BLS, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202–395–5806 (this is not a toll-free number); or by email: *OIRA_submission@omb.eop.gov.* Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: *DOL_PRA_PUBLIC@dol.gov.*

FOR FURTHER INFORMATION: Contact Michel Smyth by telephone at 202–693–4129, TTY 202–693–8064, (these are not toll-free numbers) or sending an email to *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: This ICR seeks approval under the PRA for revisions to the Consumer Expenditure Surveys: Quarterly Interview and Diary information collection. The BLS uses the Consumer Expenditure Surveys to gather information on expenditures, income, and other related subjects. The data is updated periodically in the national Consumer Price Index. In addition, the data is used by a variety of researchers in academia, government agencies, and the private sector. The data is collected from a national probability sample of households designed to represent the total civilian non-institutional population. The Census Authorizing Statute and BLS Authorizing Statute authorize this information collection. *See* 13 U.S.C. 8b and 29 U.S.C. 2.

This ICR has been characterized as a revision, because of several Quarterly Interview questions will be modified. These changes include collapsing the items codes for attachable campers and unattached campers into a single item code; regrouping the clothing sections for easier understanding by the respondent such as adding a *swimwear* category, regrouping items previously collected in the *Swimwear, swim cover-ups, or swimwear accessories* category, and renaming the *outerwear* section to *Coats and Jackets;* replacing questions on prepaid long distance calling cards with a question on prepaid cellular cards; and deleting the *Miscellaneous expenses/souvenirs* question in the trip section, as this has led to duplicate reports. Additionally, an extended recall section will be added on the point of purchase of items for consumer units (CUs) based on (1) the Primary Sampling Unit (PSU) in which the consumer unit resides (population group) and (2) whether the item was not reported by the consumer unit in the current reference period. Only a CU that does not report an expenditure for the item and resides in the PSU in which the extended recall section is being asked will receive these additional questions. In addition, a Consumer Expenditure Diary survey (CED) question will be added about the veteran status of each member of the

consumer unit who is 17 and over. The pick-up window, or the time a Field Representative is allowed to pick up the completed CED will also be extended to ten (10) days. Finally, an additional column will be added to the CED for the respondent to record the point of purchase for the expenditure the respondent has recorded.

This information collection is subject to the PRA. 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 OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1220–0050. The current approval is scheduled to expire on January 31, 2021; however, the DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. New requirements would only take effect upon OMB approval. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on May 15, 2018 (83 FR 22520).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register.** In order to help ensure appropriate consideration, comments should mention OMB Control Number 1220–0050. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Agency: DOL–BLS.

Title of Collection: Consumer Expenditure Surveys: Quarterly Interview and Diary.

OMB Control Number: 1220–0050.

Affected Public: Individuals or Households.

Total Estimated Number of Respondents: 11,355.

Total Estimated Number of Responses: 49,697.

Total Estimated Annual Time Burden: 44,522 hours.

Total Estimated Annual Other Costs Burden: $0.

Authority: 44 U.S.C. 3507(a)(1)(D).

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2018–24009 Filed 11–1–18; 8:45 am]

BILLING CODE 4510–24–P

LEGAL SERVICES CORPORATION

Notice of Intent To Award—Grant Awards for the Provision of Civil Legal Services to Eligible Low-Income Clients Beginning January 1, 2019; Correction

AGENCY: Legal Services Corporation.

ACTION: Notice; correction.

SUMMARY: The Legal Services Corporation (LSC) published a notice in the **Federal Register** on October 26, 2018 (83 FR 54148) announcing the estimated amounts of Basic Field Grants for 2019. The document incorrectly stated the basis for the estimates as the amounts awarded for Basic Field Grants in 2018.

FOR FURTHER INFORMATION CONTACT: Reginald Haley, Office of Program Performance, at (202) 295–1545, or *haleyr@lsc.gov.*

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of October 26, 2018, in FR Doc. 2018–23406, on page 54148, in the third column, revise the sentence reading ''The amounts below are estimates based on the 2018 grant awards to each service area'' to read ''The amounts below are estimates based on the triennial census adjustment for Basic Field Grant allocations.''

Dated: October 29, 2018.

Stefanie Davis,

Assistant General Counsel.

[FR Doc. 2018–24010 Filed 11–1–18; 8:45 am]

BILLING CODE 7050–01–P

NUCLEAR REGULATORY COMMISSION

Meeting of the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Planning and Procedures

The ACRS Subcommittee on Planning and Procedures will hold a meeting on October 31, 2018, at the U.S. Nuclear Regulatory Commission, Three White Flint North, 11601 Landsdown Street, Conference Rooms 1C3—1C5, North Bethesda, MD 20852.

The meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, October 31, 2018—12:00 p.m. until 1:00 p.m.

The Subcommittee will discuss proposed ACRS activities and related matters. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Quynh Nguyen (Telephone 301–415–5844 or email: *Quynh.Nguyen@nrc.gov*) five days prior to the meeting, if possible, so that arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. The public bridgeline number for the meeting is 866–822–3032, passcode 8272423. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 4, 2017 (82 FR 46312).

Information regarding changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with

the DFO if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the Three White Flint North building, 11601 Landsdown Street, North Bethesda, MD 20852. After registering with Security, please proceed to conference Room 1C3–1C5, located directly behind the security desk on the first floor. You may contact Mr. Theron Brown (Telephone 301–415–6702) for assistance or to be escorted to the meeting room.

Dated: October 30, 2018.

Christopher Brown,

Acting Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

[FR Doc. 2018–23986 Filed 11–1–18; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–442, OMB Control No. 3235–0498]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736.

Extension:
Rule 17a–12/Form X–17A–5 Part IIB

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for approval of extension of the previously approved collection of information provided for in Rule 17a–12 (17 CFR 240.17a–12) and Part IIB of Form X–17A–5 (17 CFR 249.617) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 17a–12 is the reporting rule tailored specifically for over-the-counter (''OTC'') derivatives dealers registered with the Commission, and Part IIB of Form X–17A–5, the Financial and Operational Combined Uniform Single (''FOCUS'') Report, is the basic document for reporting the financial and operational condition of OTC derivatives dealers. Rule 17a–12 requires registered OTC derivatives dealers to file Part IIB of the FOCUS Report quarterly. Rule 17a–12 also requires that OTC derivatives dealers file audited financial statements annually.

The reports required under Rule 17a–12 provide the Commission with information used to monitor the operations of OTC derivatives dealers and to enforce their compliance with the Commission's rules. These reports also enable the Commission to review the business activities of OTC derivatives dealers and to anticipate, where possible, how these dealers may be affected by significant economic events.

There are currently three registered OTC derivatives dealers. The staff expects that three additional firms will register as OTC derivatives dealers within the next three years. The staff estimates that the average amount of time necessary to prepare and file the quarterly reports required by the rule is eighty hours per OTC derivatives dealer [1] and that the average amount of time to prepare and file the annual audit report is 100 hours per OTC derivatives dealer per year, for a total reporting burden of 180 hours per OTC derivatives dealer annually. Thus the staff estimates that the total industry-wide reporting burden to comply with the requirements of Rule 17a–12 is 1,080 hours per year (180 × 6). The Commission estimates that the average annual reporting cost per broker-dealer for an independent public accountant to examine the financial statements is approximately $46,300 per broker-dealer. Thus, the total industry-wide annual reporting cost is approximately $277,800 ($46,300 × 6).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

The public may view background documentation for this information collection at the following website: *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Lindsay.M.Abate@omb.eop.gov*; and (ii) Charles Riddle, Acting Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549, or by sending an email to *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

[1] Based upon an average of 4 responses per year and an average of 20 hours spent preparing each response.

Dated: October 29, 2018.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23961 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–446, OMB Control No. 3235–0503]

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Extension:
Form N–6

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

The title for the collection of information is ''Form N–6 (17 CFR 239.17c and 274.11d) under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*) and under the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) registration statement of separate accounts organized as unit investment trusts that offer variable life insurance policies.'' Form N–6 is the form used by insurance company separate accounts organized as unit investment trusts that offer variable life insurance contracts to register as investment companies under the Investment Company Act of 1940 and/or to register their securities under the Securities Act of 1933. The primary purpose of the registration process is to provide disclosure of financial and other information to investors and potential investors for the purpose of evaluating an investment in a security. Form N–6 also requires separate accounts organized as unit investment trusts that offer variable life insurance policies to provide investors with a prospectus and a statement of additional information (''SAI'') covering essential information about the separate account when it makes an initial or additional offering of its securities.

The Commission estimates that approximately 388 registration statements (8 initial registration statements plus 380 post-effective

amendments) are filed on Form N–6 annually. The estimated hour burden per portfolio for preparing and filing an initial registration statement on Form N–6 is 770.25 hours. The estimated annual hour burden for preparing and filing initial registration statements is 6,162 hours (8 initial registration statements annually times 770.25 hours per registration statement). The Commission estimates that the hour burden for preparing and filing a post-effective amendment on Form N–6 is 67.5 hours. The total annual hour burden for preparing and filing post-effective amendments is 25,650 hours (380 post-effective amendments annually times 67.5 hours per amendment). The frequency of response is annual. The total annual hour burden for Form N–6, therefore, is estimated to be 31,812 hours (6,162 hours for initial registration statements plus 25,650 hours for post-effective amendments).

The Commission estimates that the cost burden for preparing an initial Form N–6 filing is $26,169 per portfolio and the current cost burden for preparing a post-effective amendment to a previously effective registration statement is $9,493 per portfolio. The Commission estimates that, on an annual basis, 8 portfolios will be referenced in an initial Form N–6 and 380 portfolios will be referenced in a post-effective amendment of Form N–6. Thus, the total cost burden allocated to Form N–6 would be $3,816,692.

The information collection requirements imposed by Form N–6 are mandatory. Responses to the collection of information will not be kept confidential. Estimates of average burden hours are made solely for the purposes of the Paperwork Reduction Act, and are not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms. 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 control number.

Written 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 collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Charles Riddle, Acting Director/Chief Information Officer, Securities and Exchange Commission, C/O Candace Kenner, 100 F Street NE, Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov.*

Dated: October 29, 2018.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23958 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 1:30 p.m. on Tuesday, November 6, 2018.

PLACE: The meeting will be held at the Commission's headquarters, 100 F Street, NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Roisman, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matters of the closed meeting will be:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings; and

Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

CONTACT PERSON FOR MORE INFORMATION: For further information and to ascertain what, if any, matters have been added, deleted or postponed; please contact Brent J. Fields from the Office of the Secretary at (202) 551–5400.

Dated: October 30, 2018.

Brent J. Fields,

Secretary.

[FR Doc. 2018–24071 Filed 10–31–18; 11:15 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting; Cancellation

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 83 FR 54411, October 29, 2018

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Wednesday, October 31, 2018 at 10:00 a.m.

CHANGES IN THE MEETING: The Open Meeting scheduled for Wednesday, October 31, 2018 at 10:00 a.m., has been cancelled.

CONTACT PERSON FOR MORE INFORMATION: For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact Brent J. Fields of the Office of the Secretary at (202) 551–5400.

Dated: October 31, 2018.

Brent J. Fields,

Secretary.

[FR Doc. 2018–24148 Filed 10–31–18; 4:15 pm]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84495; File No. SR–Phlx–2018–66]

Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Relocate the Pricing Schedule Rules

October 29, 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 October 18, 2018, Nasdaq PHLX LLC (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to (a) relocate rules from the Phlx's Pricing Schedule (''Pricing Schedule'') and current Rule 909 to the Exchange's rulebook's (''Rulebook'') shell structure,[3] (b) eliminate the Pricing Schedule's Table of Contents, obsolete text, and reserved rules; and (c) make conforming cross-reference changes throughout the Rulebook.

The text of the proposed rule change is available on the Exchange's website at *http://nasdaqphlx.cchwallstreet.com/,* at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange, as part of its continued effort to promote efficiency and the conformity of its processes with those of the Affiliated Exchanges, and the goal of harmonizing and uniformizing its rules, proposes to relocate the Pricing Schedule rules and Rule 909 to the Exchange's shell structure. Specifically, the Exchange will relocate the Pricing Schedule rules described below respectively into the Equity 7 and Options 7 sections of the shell structure (both named ''Pricing Schedule'').

In addition, the Exchange proposes to delete the current Pricing Schedule's Table of Contents and the obsolete term ''Phlx XL II'' at current Chapter VI., A. Moreover, the Exchange proposes not to relocate current Chapters X, XI, and XII, since these are reserved rules that do not contain any rule text. Finally, the Exchange proposes to make conforming cross-reference changes throughout the Rulebook.

(a) Table of Contents

The Exchange proposes to eliminate the existing Table of Contents in the Phlx Pricing Schedule. The Table of Contents is unnecessary. The website where the Phlx rules are listed [4] contains hyperlinks and a skeleton of the available rules within the site and enables market participants to view all rules in that section.

(b) Relocation of Equity Rules

The Exchange proposes to adopt, under Equity 7, Section 1 (''General Provisions'') a modified version of the current introductory text in the Pricing Schedule. Proposed Equity 7, Section 1(a) will refer to the calculation of fees in the Exchange, with a specific reference to the exception concerning disputes of Nasdaq PSX fees and proprietary data feed fees. The Exchange notes that the relocated text will not include the reference to disputes concerning fees for co-location services. The co-location services rule was recently moved to the General 8 section of the Rulebook [5] and the rules of the proposed Pricing Schedule will not apply to co-location services.[6]

The Exchange proposes also to relocate to Equity 7, Section 1(b) the portion of the Pricing's Schedule's Preface that applies only to equities. This will include the paragraph that reads ''For PSX Equities.'' The relocated text has no application to transactions in options and, therefore, will not be included in Options 7, Section 1(b) described below.

The Exchange proposes also to relocate and renumber Phlx Rule 909 under both Equity 7, Section 2 and Options 7, Section 2 (both named ''Collection of Exchange Fees and Other Claims''). Rule 909 permits Phlx to collect undisputed or final fees, fines, charges and/or other monetary sanctions or other monies due and owing to the Exchange or other charges related to Rule 924.[7] The Exchange believes that, unlike other rules in the 900 Rules Series (''Membership''), which generally refer to the powers of the Board of Directors and the authority it delegates to Senior Management of the Exchange, the direct debit process established in Rule 909 will be better situated among the relocated rules in the Equity 7 and Options 7 titles.

Next, the Exchange proposes to relocate and renumber current Pricing Schedule's Chapter VIII (''NASDAQ PSX FEES'') as Equity 7, Section 3 in the shell structure. The text of this rule will not be substantively changed other than to update the capitalization of its title.

Today, Chapter VI of the Phlx Pricing Schedule consists of rule text applicable to both equities and options. Specifically, references to floor pricing apply to the options market, as only that market has a trading floor. In Chapter VI, A. (''Permit and Registration Fees''), the paragraph that describes PSX Only Permit Fees describes an equity fee. The ''Application Fee,'' ''Application Fee for Lapsed Applications,'' ''Transfer of Affiliation Fee,'' ''Account Fee,'' ''Initiation Fee'' and ''Permit Fees'' apply to both equities and options. Finally, the ''Inactive Nominee Fee'' and the ''Clerk Fee'' are floor fees and therefore apply to options only.[8]

The Exchange proposes to adopt Equity 7, Section 4 (''Membership Fees''), A. (''Permit and Registration Fees'') by adapting text from current Chapter VI, A. of the Pricing Schedule. Specifically, as previously noted, Equity 7, Section 4, A. will consist of the following fees: ''Application Fee,'' ''Application Fee for Lapsed Applications,'' ''Transfer of Affiliation Fee,'' ''Account Fee,'' ''Initiation Fee,'' and ''Permit Fees.'' Proposed Equity 7, Section 4 will also include text from the current rule which is only applicable to PSX transactions; thus, the Exchange proposes to relocate the text under the subheading ''PSX Only Permit Fees.''

Additionally, the Exchange will relocate the callout (''*'') and respective

[3] In 2017, the Exchange added a shell structure to its Rulebook with the purpose of improving efficiency and readability and to align its rules closer to those of its five sister exchanges, The Nasdaq Stock Market LLC; Nasdaq BX, Inc.; Nasdaq GEMX, LLC; Nasdaq ISE, LLC; and Nasdaq MRX, LLC (''Affiliated Exchanges''). *See* Securities Exchange Act Release No. 82169 (November 29, 2017), 82 FR 57508 (December 5, 2017) (SR–Phlx–2017–97).

[4] Phlx rules are located at: *http://nasdaqphlx.cchwallstreet.com.*

[5] *See* Securities Exchange Act Release No. 83465 (June 19, 2018), 83 FR 29594 (June 25, 2018) (SR–Phlx–2018–46).

[6] *See* proposed Equity 7, Section 1(a): ''Policy for amending billing information: Corrections submitted after trade date and prior to the issuance of an invoice by the exchange must be submitted to the Exchange in writing and must be accompanied by supporting documentation. Only members may submit trade corrections.

All billing disputes must be submitted to the Exchange in writing and must be accompanied by supporting documentation. All disputes must be submitted no later than sixty (60) days after receipt of a billing invoice, except for disputes concerning Nasdaq PSX fees and proprietary data feed fees. The Exchange calculates fees on a trade date basis. Only members may submit billing disputes.''

[7] *See* Securities Exchange Act Release No. 61405 (January 21, 2010), 75 FR 4888 (January 29, 2010) (SR–Phlx–2009–101) (Order Approving a Proposed Rule Change Relating to Collection of Exchange Fees).

[8] As explained later, the Exchange is proposing to adopt a parallel rule under the Options 7, Section 8 (''Membership Fees''), with fees applicable to both options and equities and relocate only the subsections from Chapter VI that apply to options.

footnote that accompany the ''Application Fee,'' ''Application Fee for Lapsed Applications,'' ''Account Fee,'' and ''Initiation Fee'' subheadings; this is because the footnote is exclusively applicable to those who only apply for PSX membership, and therefore should be moved to the Equity 7 title.

The Exchange notes that it will not relocate the obsolete term ''Phlx XL II'' used in the footnote described above; the term is a legacy reference and its removal will not affect the rights of prospective or existing members of the Exchange.

The Exchange will thus relocate and renumber the above-referenced rules as follows:

Equity 7—Pricing schedule (Proposed)	Schedule of fees (Current)
Section 1. General Provisions—(a)	*Pricing Schedule's Introduction*
Section 1. General Provisions—(b)	PREFACE
Section 2. Collection of Exchange Fees and Other Claims	Rule 909. Collection of Exchange Fees and Other Claims
Section 3. Nasdaq PSX Fees	VIII. Nasdaq PSX Fees
Section 4. Membership Fees	VI. Membership Fees

(c) Relocation of Options Rules

The Exchange proposes to adopt, under Options 7, Section 1(a), a modified version of the current introductory section in the Pricing Schedule. Proposed Options 7, Section 1(a) will refer to the calculation of fees in the Exchange, with a specific reference to the exception concerning disputes of proprietary data fees, which applies to transactions in options. The Exchange believes that this change will improve the readability of the rules relocated under the Options 7 title.

The Exchange also proposes to adopt under Options 7, Section 1(b) the text from the Pricing Schedule's Preface that applies only to transactions in options. Specifically, proposed Options 7, Section 1(b) will contain the text that opens with ''For Phlx Options''; the definitions of ''Customer''; ''Specialist''; ''ROT, SQT and RSQT''; ''Market Maker''; ''Registered Option Trader''; ''Streaming Quote Trader''; ''Remote Streaming Quote Trader''; ''Firm''; ''Professional''; ''Broker-Dealer''; ''Joint Back Office''; ''Common Ownership''; and ''Non-Customer''; and the rules that apply to options transactions fees or rebates described under the subsection ''For Purposes of Common Ownership Aggregation of Activity of Affiliated Members and Member Organizations,'' including the terms ''Appointed MM,'' ''Appointed OFP,'' and ''Affiliated Entity.''

The Exchange additionally proposes that Subsections A and B (respectively, ''Mini Options Fees'' and ''Customer Rebate Program'') in the Pricing Schedule's Preface remain unchanged and be relocated to proposed Options 7, Section 1(b).

As previously explained, the Exchange proposes also to adopt a rule, under Options 7, Section 2, for the collection of undisputed fees or other monies identical to current Phlx Rule 909 (''Collection of Exchange Fees and Other Claims''), which will parallel the rule under Equity 7, Section 2.

The Exchange proposes also to relocate, renumber, and add the word ''Section'' to each of the following chapters in the Pricing Schedule: I (''Rebates and Fees for Adding and Removing Liquidity in SPY''); II (''Multiply Listed Options Fees''), III (''Singly Listed Options''); IV (''Other Transaction Fees''); V (''Routing Fees''); VII (''Other Member Fees''); IX (''Proprietary Data Feed Fees''); and XIII (''Access and Redistribution Fee'').

With respect to the text in current Chapter VI of the Pricing Schedule, as previously explained, the Exchange proposes to adopt Options 7, Section 8, A. (''Permit and Registration Fees'') which will include text applicable to both equities and options (the ''Application Fee,'' ''Application Fee for Lapsed Applications,'' ''Transfer of Affiliation Fee,'' ''Account Fee,'' ''Initiation Fee,'' and ''Permit Fees.'').

The Exchange proposes also to remove the callout (''*'') from the Application, Account, and Initiation fees' subheadings since such footnote is applicable to those who only apply for membership with PSX.

Moreover, the Exchange proposes to include under Options 7, Section 8, A. portions of text from Chapter VI which apply only to transactions in options (namely, ''Phlx Permit Fees,'' ''Inactive Nominee Fee,'' and ''Clerk Fee''). The Exchange additionally proposes to relocate to Options 7, Section 8, subsections B. (''Streaming Quote Trader Fees''), C. (''Remote Market Maker Organization Fee'') and D. (''Remote Specialist Fee'') from current Chapter VI.

The proposed relocation of options rules can be summarized as follows:

Options 7—Pricing schedule (Proposed)	Schedule of fees (Current)
Section 1. General Provisions—(a)	*Pricing Schedule's Introduction*
Section 1. General Provisions—(b)	PREFACE
Section 2. Collection of Exchange Fees and Other Claims	A. Mini Option Fees
Section 3. Rebates and Fees for Adding and Removing Liquidity in SPY	B. Customer Rebate Program
	Rule 909. Collection of Exchange Fees and Other Claims
	I. Rebates and Fees for Adding and Removing Liquidity in SPY
Section 4. Multiply Listed Options Fees	II. Multiply Listed Options Fees
Section 5. Singly Listed Options	III. Singly Listed Options
Section 6. Other Transaction Fees	IV. Other Transaction Fees
Section 7. Routing Fees	V. Routing Fees
Section 8. Membership Fees	VI. Membership Fees
Section 9. Other Member Fees	VII. Other Member Fees
Section 10. Proprietary Data Feed Fees	IX. Proprietary Data Feed Fees
Section 11. Access and Redistribution Fee	XIII. Access and Redistribution Fee

The Exchange believes that the changes previously explained are non-substantive and that they will facilitate the use of the Rulebook by Members [9] of the Exchange, including those who are members of other Affiliated Exchanges, and other market participants.

(d) Pricing Schedule Rules To Be Removed

The Exchange proposes Pricing Schedule's Chapters X, XI, and XII not to be relocated to the shell structure and that they be removed from the Rulebook. The aforementioned sections are currently marked as ''Reserved'' and their relocation to the shell structure is unnecessary since the Exchange may amend and create new rules if needed.

(e) Cross-Reference Updates

In connection with the changes described above, the Exchange proposes to update all cross-references in the Rulebook that direct the reader to the current location of the Pricing Schedule rules and/or any of their subsections.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[10] in general, and furthers the objectives of Section 6(b)(5) of the Act,[11] in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest, by promoting efficiency and the structural conformity of the Exchange's processes with those of the Affiliated Exchanges and to make the Exchange's Rulebook easier to read and more accessible to its Members and market participants. The Exchange believes that the relocation and renumbering of rules in the Equity 7 and Options 7 Pricing Schedules, related cross-reference updates, and the deletion of the Table of Contents, the obsolete term ''Phlx XL II,'' and unused Pricing Schedule chapters are of a non-substantive nature.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed changes do not impose a burden on competition because, as previously stated, they (i) are of a non-substantive nature, (ii) are intended to harmonize the structure of the Exchange's rules with those of its Affiliated Exchanges, and (iii) are intended to organize the Rulebook in a way that it will ease the Members' and market participants' navigation and reading of the Equities' and Options' Pricing Schedules.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [12] and Rule 19b–4(f)(6) thereunder.[13]

A proposed rule change filed pursuant to Rule 19b–4(f)(6) under the Act [14] normally does not become operative for 30 days after the date of its filing. However, Rule 19b–4(f)(6)(iii) [15] permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has requested that the Commission waive the 30-day operative delay so that the proposed rule change may become operative upon filing. Waiver of the operative delay would allow the Exchange to promptly relocate the Pricing Schedule rules, which the Exchange believes will improve the organization and readability of the Exchange's Rulebook. Therefore, the Commission believes that waiver of the 30-day operative delay is consistent with the protection of investors and the public interest. Accordingly, the Commission hereby waives the operative delay and designates the proposed rule change operative upon filing.[16]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–Phlx–2018–66 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-Phlx-2018–66. 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

[9] Exchange Rule 100(a)(32).

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(5).

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

[14] 17 CFR 240.19b–4(f)(6).

[15] 17 CFR 240.19b–4(f)(6)(iii).

[16] For purposes only of waiving the 30-day operative delay, the Commission also has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–Phlx–2018–66, and should be submitted on or before November 23, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23963 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

[17] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84496; File No. SR–MSRB–2018–08]

Self-Regulatory Organizations; Municipal Securities Rulemaking Board; Notice of Filing of a Proposed Rule Change Concerning Certain Data Elements on Form G–45 Under MSRB Rule G–45, on Reporting of Information on Municipal Fund Securities

October 29, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Exchange Act'' or ''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 15, 2018 the Municipal Securities Rulemaking Board (the ''MSRB'' or ''Board'') filed with the Securities and Exchange Commission (the ''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the MSRB. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The MSRB filed with the Commission a proposed rule change to amend Form G–45 under MSRB Rule G–45, on reporting of information on municipal fund securities,[3] to clarify a data element concerning the program management fee, to add a data element concerning the investment option closing date, and to delete data elements concerning annualized three-year performance information (the ''proposed rule change''). The MSRB requests that the proposed rule change become effective on June 30, 2019.

The text of the proposed rule change is available on the MSRB's website at *www.msrb.org/Rules-and-Interpretations/SEC-Filings/2018-Filings.aspx,* at the MSRB's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the MSRB 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 MSRB 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 MSRB proposes to refine and enhance certain of the investment option data that the MSRB collects under Rule G–45 from underwriters to 529 savings plans [4] and ABLE programs.[5] Specifically, the MSRB proposes to amend Form G–45 to (i) clarify a data element concerning the program management fee, (ii) add a data element concerning the investment option closing date, and (iii) delete data elements concerning annualized three-year performance information. As discussed under ''Statutory Basis,'' the proposed rule change would provide information that would enhance the MSRB's and other regulators' ability to effectively and efficiently analyze 529 savings plans and ABLE programs to assess the impact of each 529 savings plan and ABLE program on the market, to evaluate trends and differences, and to gain an understanding of the aggregate risk taken by investors.

Background

Rule G–45 requires brokers, dealers and municipal securities dealers (''dealers'') acting in the capacity as underwriters to 529 savings plans or ABLE programs to submit on a semi-annual or annual basis (in the case of performance data) certain information about the plans or programs they underwrite. That information includes plan or program descriptive information, assets, asset allocation information (at the investment option level), contributions, withdrawals, fee and cost structure, performance, and other information. Beginning with the reporting period ending June 30, 2015 (in the case of 529 savings plans) and June 30, 2018 (in the case of ABLE programs), underwriters to 529 savings plans or ABLE programs have reported such information electronically to the MSRB.

The collection of information under Rule G–45 is intended to protect investors, municipal entities and the public interest and prevent fraudulent and manipulative acts and practices.[6] Specifically, collecting this information enhances the MSRB's understanding of 529 savings plans and ABLE programs. Such information informs the MSRB's regulatory activities and also the activities of those other financial regulators (*i.e.,* the SEC, the Financial

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Form G–45 is an electronic form on which submissions of the information required by Rule G–45 are made to the MSRB.

[4] Section 529 of the Internal Revenue Code of 1986, as amended (the ''Code'') established savings plans (''529 savings plans'') to encourage saving for future education costs. 26 U.S.C. 529(b)(1)(A)(ii). The SEC has determined that interests offered by such 529 savings plans are municipal securities under Section 3(a)(29) of the Exchange Act. Exchange Act Release No. 70462 (Sept. 20, 2013), 78 FR 67468, 67472–73 (Nov. 12, 2013).

Section 529 also established prepaid tuition plans. 26 U.S.C. 529(b)(1)(A)(i). Under a prepaid tuition plan, an investor may purchase tuition credits or certificates on behalf of a designated beneficiary, which entitle the beneficiary to the waiver or payment of qualified higher education expenses. Such credits or certificates generally are not viewed as being municipal securities, and dealers generally do not participate in the marketing of prepaid tuition plans.

Thus, the term ''529 plans'' includes 529 saving plans and prepaid tuition plans.

[5] ABLE programs are programs designed to implement Section 529A to the Code. 26 U.S.C. 529A. Section 529A of the Code permits a state, or an agency or instrumentality thereof, to establish and maintain a tax-advantaged savings program to help support individuals with disabilities in maintaining health, independence, and quality of life.

[6] Exchange Act Release No. 71598 (Feb. 21, 2014), 79 FR 11161, 11167 (Feb. 27, 2014) (SR–MSRB–2013–04) (stating ''to fulfill its statutory responsibilities to investors and municipal entities in the context of 529 plans, the Commission believes that it is appropriate for the MSRB to possess basic, reliable information regarding 529 plans, including the underlying investment options''). The MSRB believes that the collection of data about ABLE programs is equally important for the MSRB to fulfill its statutory responsibilities to investors and municipal entities.

Industry Regulatory Authority, Inc., and banking regulators) that are charged with examining and enforcing MSRB rules.

Enhancements to Rule G–45

A. Clarification of Program Management Fee Data Element

Throughout the seven reporting periods during which the MSRB has analyzed data submitted on Form G–45, the MSRB has observed anomalies in the data submitted under Investment Option information. Those anomalies related to the program management fee and, as discussed below under ''New Investment Option Closing Date Data Element,'' to investment options that closed during the reporting period. Form G–45, under the Investment Option information subsection ''Program Management Fee,'' requires that an underwriter report the program management fee (expressed as an annual percentage of 529 savings plan or ABLE program assets) assessed by the 529 savings plan or ABLE program. The program management fee typically is a separately identifiable percentage that is shown in the fee table for the 529 savings plan or ABLE program, but for some 529 savings plans and ABLE programs, this is not the case. Instead for those 529 savings plans or ABLE programs, the program management fee is assessed by the underlying mutual fund in which the investment option invests (this is typically done through a 529 or ABLE share class of the mutual fund). Underwriters for those 529 savings plans or ABLE programs generally report the program management fee as zero on Form G–45, and then may add explanatory information in the notes section of the form about the fee. That explanatory information, however, may or may not actually disclose the program management fee in a format that is typically used for comparison—*i.e.,* as an annual percentage of 529 savings plan or ABLE program assets. The proposed rule change would clarify that the underwriter must report the program management fee as an annual percentage of assets (*e.g.,* x.xx%) no matter whether the program management fee is assessed by the underlying mutual fund or by the 529 savings plan or ABLE program itself. The underwriter would not be able to report the program management fee as zero and then explain in a note that it is assessed by the underlying mutual fund. Thus, the proposed rule change would allow the MSRB, as well as other regulators, to analyze data in a uniform format that would facilitate (i) comparison among 529 savings plans and ABLE programs, (ii) the evaluation of trends and differences, and (iii) the identification of potential risks to investors that may affect those 529 savings plans and ABLE programs.

B. New Investment Option Closing Date Data Element

From time to time, an investment option offered in a 529 savings plan may close to new investors, but allow current account owners who have allocated account value to an investment option to continue to invest in that ''closed'' investment option. Alternatively, the 529 savings plan may close an investment option completely.[7] In either case, the investment option data submitted for that investment option on Form G–45 can be contrary to what the MSRB would have expected for the investment option when compared to prior reporting periods, and the MSRB may not be able to easily determine why such variance occurred. To address this issue, the proposed rule change would add check-the-box items to Form G–45 that would alert the MSRB about whether an investment option has closed to new investors, but allows current account owners to contribute funds, or whether the investment option has closed to all investors.

C. Deletion of Three-Year Annualized Performance Data Requirement

The MSRB sought public comment about providing additional data concerning the investment options offered in 529 savings plans and ABLE programs.[8] In response, the MSRB received the suggestion that the MSRB no longer require that an underwriter submit three-year annualized performance information for an investment option on Form G–45.

Form G–45 requires that underwriters annually report (i) total returns, including sales charges, (ii) total returns, excluding sales charges, and (iii) benchmark return percent for specified periods, including annualized or annual three-year percent. At the time the MSRB approved Form G–45, the College Savings Plans Network's (CSPN) voluntary disclosure principles that provide recommendations to the state entities that establish and maintain 529 savings plans (the ''disclosure principles'')[9] and which commenters stated were the industry norm in other rulemakings, recommended that such disclosure be made.[10] However, since that time, CSPN has updated the disclosure principles, and CSPN no longer recommends that a 529 savings plan include three-year performance information.[11] Further, three-year annualized performance information is not required by the SEC for mutual funds.

The MSRB has determined that Form G–45, even without the three-year performance data, would continue to provide the MSRB with sufficient performance information to assist the MSRB with its analysis of 529 savings plans and ABLE programs. Therefore, because the MSRB believes that it will have sufficient performance information, it is no longer an appropriate regulatory burden and should be eliminated to avoid unnecessary costs.

2. Statutory Basis

The MSRB Section 15B(b)(2) of the Exchange Act[12] provides that:

[t]he Board shall propose and adopt rules to effect the purposes of this title with respect to transactions in municipal securities effected by brokers, dealers, and municipal securities dealers and advice provided to or on behalf of municipal entities or obligated persons by brokers, dealers, municipal securities dealers, and municipal advisors

[7] As noted previously, with the reporting period ending June 30, 2018, underwriters to ABLE programs began to submit information about the ABLE programs they underwrite on Form G–45. The MSRB believes that, similar to the investment options offered in 529 savings plans, investment options in ABLE programs may close to investors.

[8] MSRB Notice 2017–17 (Aug. 22, 2017) (the ''Request for Comment''). Specifically, the MSRB sought comment on a possible clarification to the data it currently receives about the program management fee and about requiring underwriters to submit additional data relating to (i) performance data—*i.e.,* to provide additional information about the benchmark return percent and to provide performance data by asset class and (ii) the investment option closing date. The Board determined not to proceed with the collection of additional performance data.

[9] CSPN, a non-profit organization, was established as an affiliate to the National Association of State Treasurers, to make higher education more attainable and to serve as a clearinghouse for information among state-administered college savings programs.

According to CSPN, CSPN, the states that administer 529 plans (*i.e.,* 529 savings plans and prepaid tuition plans) and their private sector partners are committed to clarifying and enhancing disclosure and offering materials for 529 plans. CSPN stated that it adopted voluntary disclosure principles to enhance the comparability of information that investors should consider when investing in 529 savings plans. *See* College Savings Plan Network Disclosure Principles Statement No. 6 (adopted July 1, 2017).

[10] *See* File No. SR–MSRB–2013–04 (proposed rule change consisting of new MSRB Rule G–45, on reporting of information on municipal fund securities, and Form G–45, and amendments to Rule G–8, on books and records, and Rule G–9, on preservation of records); College Savings Plans Network Disclosure Principles Statement No. 5 (adopted May 3, 2011).

[11] College Savings Plans Network Disclosure Principles Statement No. 6 (adopted July 1, 2017).

[12] 15 U.S.C. 78*o*–4(b)(2).

with respect to municipal financial products, the issuance of municipal securities, and solicitations of municipal entities or obligated persons undertaken by brokers, dealers, municipal securities dealers, and municipal advisors.

Section 15B(b)(2)(C) of the Exchange Act [13] provides that the MSRB's rules shall:

be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in municipal securities and municipal financial products, to remove impediments to and perfect the mechanism of a free and open market in municipal securities and municipal financial products, and, in general, to protect investors, municipal entities, obligated persons, and the public interest.

The MSRB believes that the proposed rule change is consistent with Sections 15B(b)(2) [14] and 15B(b)(2)(C) [15] of the Exchange Act. The proposed rule change would help prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, and foster cooperation and coordination with persons engaged in regulating transactions in municipal securities.

The proposed rule change would help prevent fraudulent and manipulative acts and practices. The proposed rule change would allow the MSRB to analyze data in a uniform format that would facilitate the (i) efficient and effective comparison among 529 savings plans and ABLE programs, (ii) evaluation of trends and differences, and (iii) identification of potential risks to investors that may affect those 529 savings plans and ABLE programs. The ability to identify trends and differences, also would enable the regulators that are charged with inspecting for compliance with and enforcing the MSRB's rules, as noted above, to better determine whether the 529 savings plan or ABLE program disclosure documents and marketing materials, which underwriters generally draft or participate in drafting, are consistent with the data submitted to the MSRB. Further, the ability to identify potential risks to investors from the Form G–45 data analysis would inform the MSRB with its development of rulemaking and interpretive guidance priorities with respect to MSRB regulated entities. Further, the ability to identify potential risks to investors from the Form G–45 data would inform other regulators with their development of their priorities for risk-based compliance examinations for such regulated entities. These enhanced oversight abilities, in turn, would help prevent fraudulent and manipulative acts and practices.

The proposed rule change also would promote just and equitable principles of trade. For the same reasons that the proposed rule change would help prevent fraudulent and manipulative acts and practices, the proposed rule change also would promote just and equitable principles of trade.

In addition, the proposed rule change would foster cooperation and coordination with persons engaged in regulating municipal securities transactions. For the same reasons that the proposed rule change would help prevent fraudulent and manipulative acts and practices, the proposed rule change also would foster cooperation and coordination with persons engaged in regulating municipal securities transactions. In addition, as discussed under ''Deletion of Three-Year Annual Performance Data Requirement,'' the proposed rule change would make the collection of performance data under Form G–45 more consistent with what is required by other financial regulators and with current industry norms, and thereby also would foster regulatory coordination with persons engaged in regulating municipal securities transactions.

Moreover, the MSRB believes that the proposed rule change is consistent with the MSRB's statutory obligation to protect investors and municipal entities. To fulfill this responsibility, it is necessary for the MSRB to have a complete and reliable data set about 529 savings plans and ABLE programs, including the investment options offered in those 529 savings plans and ABLE programs. The proposed rule change would provide the MSRB with additional meaningful data about the investment options offered in those plans or programs—specifically, the proposed rule change would clarify an existing data element relating to the program management fee and would add a data element in the form of a check the box to alert the MSRB about the closing of an investment option during the reporting period. This clarification and additional data element would facilitate the MSRB's ability to efficiently and effectively analyze the market for 529 savings plans and ABLE programs as well as to evaluate trends and differences among 529 savings plans and the ABLE programs. The MSRB believes that understanding the investment options and the costs associated with 529 savings plans and ABLE programs as well as the other data collected under Rule G–45 are basic requirements for regulation and necessary to assist the MSRB with its evaluation as to whether its regulatory scheme for dealers that sell interests in or underwrite ABLE programs and/or 529 savings plans is sufficient, or whether additional rulemaking is necessary to protect investors. Further, as previously noted, the information that would be collected by the proposed rule change would help the MSRB and other regulators that examine dealers prioritize their efforts with respect to those dealers that sell interests in or underwrite ABLE programs and 529 savings plans. Those other regulators may use this information to determine the nature or timing of risk-based dealer examinations. In addition, under the proposed rule change, the MSRB would no longer collect three-year performance data about the investment options and their related benchmarks, if any. As discussed under ''Deletion of Three-Year Annual Performance Data Requirement,'' the proposed rule change thereby would make the collection of performance data under Form G–45 more consistent with what is required by other financial regulators and with current industry norms. Thus, the MSRB believes that the information to be collected by the proposed rule change would better enable the MSRB to protect investors in these programs and plans and the municipal entities that offer 529 savings plans and ABLE programs.

B. Self-Regulatory Organization's Statement on Burden on Competition

Section 15B(b)(2)(C) of the Exchange Act [16] requires that MSRB rules be designed to not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. In accordance with the Board's policy on the use of economic analysis, the Board has reviewed the proposed rule change.[17] To fulfill its responsibility to protect investors, the MSRB must have current and reliable information about the fees and expenses assessed under such programs or plans and the market for 529 savings plans and ABLE programs as a whole. The proposed rule change is

[13] 15 U.S.C. 78*o*–4(b)(2)(C).

[14] 15 U.S.C. 78*o*–4(b)(2).

[15] 15 U.S.C. 78*o*–4(b)(2)(C).

[16] *Id.*

[17] Policy on the Use of Economic Analysis in MSRB Rulemaking, available at *http://msrb.org/Rules-and-Interpretations/Economic-Analysis-Policy.aspx.* For those rule changes which the MSRB seeks immediate effectiveness, the MSRB usually focuses exclusively its examination on the burden of competition on regulated entities.

necessary for the MSRB to gather relevant data required to ensure the MSRB's regulatory scheme is sufficient and/or to determine whether additional rulemaking is necessary to protect investors.

The need for the proposed rule change to Form G–45 arises from the MSRB's oversight of dealers acting as underwriters to 529 savings plans and ABLE programs. The MSRB believes that this information is required to ensure effective regulation of dealers that sell interests in and underwriters to 529 savings plans and ABLE programs. Since certain data elements are not disclosed or readily available in some instances, rulemaking is required to bring the information to light. Specifically,

1. In certain instances, the program management fee is included in the total fund operating expenses assessed by the underlying mutual fund and thus is not separately disclosed. This makes comparing and analyzing program management fees across plans difficult; and

2. From time to time, an investment option may either close to new investors but allow current account owners to continue to invest or may close to new investors or all investors completely. Therefore, investment data submitted for that investment option may not accurately portray the real annualized return.

The proposed rule change to Form G–45 would clarify the requirement of an existing data element, the program management fee, and the collection of an additional data element (check-the-boxes) about the investment option closing date information to remedy the above concerns. The MSRB can therefore remove the burden on submitters of unnecessary follow-ups for what is, in reality, accurate albeit incomplete data. In addition, the proposed rule change would delete the requirements to report three-year annualized performance data for each investment option and any related benchmark.

The MSRB has evaluated alternatives to the proposed rule change with regard to obtaining some of the above information without the proposed rule change to Form G–45. However, none of these alternatives is preferable to the proposed requirements. For example, the program management fee, as an annual percentage of assets, is already submitted by the underlying mutual funds in disclosure documents to the SEC. However, to obtain the total program management fee for an entire municipal security fund through a review of disclosure documents, the MSRB would have to manually sift through the disclosures for all underlying funds and calculate the total program management fee based on a weighted-average of assets under management for each fund. For regulatory purposes, the MSRB needs to efficiently obtain a consistent set of uniform, reliable and relevant information about 529 savings plans and ABLE programs in order to compare across plans. Another alternative to the proposed rule change to Form G–45 is a manual review of information in plan disclosure documents submitted to the MSRB's Electronic Municipal Market Access (EMMA®) [18] website or on 529 savings plan or ABLE program websites. A manual review of information would be insufficient and inefficient.

The benefits from collecting program management fee and investment option closing date data should exceed the costs. These benefits include enhanced regulatory oversight of underwriters to 529 savings plans and ABLE programs and improved understanding of the 529 savings plan and ABLE program marketplace. More importantly, since the remaining data elements are readily available to submitters, the costs associated with the current recommendation would be relatively minor.[19]

Specifically, the program management fee expressed as an annual percentage of assets for each share class is already disclosed to the SEC, as the SEC-registered underlying mutual fund in which an investment option invests is required to disclose the percentage of the program management fee in the disclosure documents that it submits to the SEC. The costs of the submission process would be minor. Likewise, the costs of submitting the investment option closing date would be negligible as the issuer supplements the disclosure documents for the 529 savings plan with that information.[20] Consequently, the benefits should exceed the costs after the proposed rule change would be implemented by the industry.

In addition to voicing their opinions on the MSRB's proposed clarification of and new data element requirements, commenters also requested that the MSRB consider eliminating the current requirement to report three-year annualized performance information under Rule G–45, as the industry standard no longer includes the three-year returns information as a part of the performance disclosure.[21] The MSRB concurs that omitting the three-year annualized performance data would not materially change the MSRB's regulatory capability in this area, and submitters should benefit from a reduced burden when they no longer need to report this information. The MSRB believes the cost savings from no longer requiring the three-year annualized performance data should outweigh the benefit provided by the data.

In the aggregate, the MSRB believes that the proposed rule change would provide a range of benefits, including reducing regulatory inefficiencies to facilitate an efficient and effective regulatory oversight of relevant underwriters and dealers. Although the proposed rule change may impose some costs on underwriters and/or require them to revise certain business practices and spend additional resources. The MSRB believes that the total costs would be less than the aggregate benefits that would accrue over time to the market.

Effect on Competition, Efficiency and Capital Formation

The MSRB believes that the proposed rule change would facilitate regulatory oversight of the municipal fund security market and promote capital formation by informing rulemaking, preventing fraud, and protecting investors. At present, the MSRB is unable to quantitatively evaluate the magnitude of efficiency gains or losses, or the impact on capital formation, but believes that the benefits outweigh the costs over the long term, as the costs of compliance are expected to be minor. Additionally, in the MSRB's view, the proposed rule change does not result in an undue burden on competition since it would apply to all underwriters of 529 savings plans and ABLE programs equally.[22]

Competition, however, may be adversely affected if, to compensate for costs and regulatory burden, underwriters would raise the fees charged to issuers, resulting in issuers refraining from using dealers to engage directly with potential investors, or

[18] EMMA is a registered trademark of the MSRB.

[19] Commenters confirmed that there is limited burden associated with providing investment option closing date information to the MSRB. As to the program management fee, commenters generally agree that it is not burdensome to report.

[20] As noted previously, the MSRB believes that issuers of ABLE programs also would supplement their disclosure documents with an investment option's closing date.

[21] In addition to the three-year performance data, the MSRB currently requires the performance data for year-to-date, one-year, five-years, ten-years and since inception.

[22] The proposed rule change would not impose any burden on non-underwriting dealers that only sell interests in either 529 savings plans or ABLE programs.

passing on some portion of the higher fee amount to investors.

The MSRB believes that the proposed rule change would not impose an unnecessary or inappropriate regulatory burden on small regulated entities, as the burden on underwriters should be proportional to their business activities in relation to 529 savings plans and ABLE programs.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The MSRB sought public comment about providing additional data concerning the investment options offered in 529 savings plans and ABLE programs.[23] In response to the Request for Comment, the MSRB received six comment letters.[24] Commenters generally opposed providing additional data to the MSRB. However, commenters suggested that they could more easily provide data relating to two of the items about which the MSRB sought comment (a clarification concerning the program management fee and data concerning the investment option closing date) than the other two items with which the MSRB sought comment but with which the Board determined not to proceed. Further, one commenter suggested that the MSRB amend Form G–45 to delete the requirement that an underwriter submit investment option annualized three-year performance information [25] and another commenter specifically supported that suggestion.[26]

Additional Investment Option Data

i. Program Management Fee

Although commenters generally opposed any amendment to Form G–45, one commenter, SIFMA, stated that it generally supports the proposed rule change relating to the program management fee, however, SIFMA gave this support while also sharing the concerns about this item expressed by the ICI. Other commenters stated that the program management fee could be proprietary,[27] costly to report separately due to programming costs,[28] and that reporting the percentage of the fee separately could lead to the MSRB ''double counting'' the amount of the program management fee.[29]

The MSRB continues to believe that it is important to receive information about the program management fee in a uniform manner. With its adoption of Rule G–45 and Form G–45, the MSRB recognized the importance of receiving consistent and reliable information about 529 savings plans for the MSRB to fulfill its mission to protect investors. This information allows the MSRB, as well as other regulators, to analyze the data in a format that can be sorted to foster a better understanding of the 529 savings plan industry. Without that information, the analytical process is not as efficient as it otherwise could be.

Moreover, the SEC-registered underlying mutual fund in which an investment option invests is required to disclose the percentage of the program management fee in the disclosure documents that it submits to the SEC. The MSRB has obtained this information through such a review. The MSRB submits that the percentage of the program management fee is not proprietary, as it is disclosed to the SEC in public documents. For that same reason, the MSRB believes that underwriters would incur minimal costs, if any, if they were to report the percentage of the program management fee separately.

As far as the double counting of the program management fee, the MSRB currently has the analytical tools necessary to ensure that the percentage of the program management fee is not double counted. Underwriters could simply continue to alert the MSRB in the notes section of Form G–45, that the program management fee is assessed by the underlying mutual fund in which the investment option invests. The MSRB then would take the note into consideration when it analyzes the underlying fund expenses for an investment option.

ii. Investment Option Closing Date

Four commenters submitted comments about providing information about an investment option closing date. In general, commenters stated that they did not oppose the proposal, and that the information would be easily reportable, but that reporting such information may increase costs to the 529 savings plan, and they were not certain why the information would be meaningful to the MSRB.[30] Commenters explained that the increased costs could result because the 529 savings plan would not be able to use the data it submits to other regulators on Form G–45.[31]

The MSRB believes that having information about the investment option closing date would enhance the ability of the MSRB to analyze investment option data in a timely and efficient manner. As commenters acknowledged, underwriters have this information (a 529 savings plan must supplement its program disclosure booklet with this information in a timely manner to comply with its obligations under the federal securities laws). As noted under ''Self-Regulatory Organization's Statement on Burden on Competition,'' the MSRB believes that providing an investment option closing date should not materially increase costs for underwriters.

iii. Three-Year Annualized Performance Information

As noted under ''Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change,'' Form G–45 requires that underwriters annually report (i) total returns, including sales charges, (ii) total returns, excluding sales charges, and (iii) benchmark return percent for specified periods, including annualized or annual three-year percent. At the time the MSRB approved Form G–45, the disclosure principles which commenters stated were the industry norm in other rulemakings, recommended that such disclosure be made.[32] However, since that time, CSPN has updated the disclosure principles,

[23] *See* note 8, *supra.*

[24] The MSRB received letters from the State of West Virginia: Letter from John D. Perdue, West Virginia State Treasurer, dated September 18, 2017 (''West Virginia''); American Funds Distributors, Inc.: Letter from Maria Manotok, Senior Counsel, dated September 21, 2017 (''American Funds''); Ascensus College Savings: Letter from Sandra Madden, General Counsel, dated September 21, 2017 (''Ascensus''); College Savings Plans Network and College Savings Foundation: Letter from Richard J. Polimeni, Chairman, College Savings Foundation, and Young Boozer, Chairman, College Savings Plans Network, dated September 21, 2017 (''CSPN and CSF''); Investment Company Institute: Letter from Tamara K. Salmon, Senior Associate Counsel, dated September 21, 2017 (''ICI''); Securities Industry and Financial Markets Association: Letter from Leslie M. Norwood, Managing Director and Associate General Counsel, and Bernard Canepa, Vice President and Assistant General Counsel, dated September 21, 2017 (''SIFMA'').

[25] *See* ICI letter.

[26] *See* SIFMA letter.

[27] *See* Ascensus letter.

[28] *See* ICI letter.

[29] *Id.*

[30] *See* American Funds letter (''[a]though we do not oppose the requirement that 529 plan underwriters report whether an investment option has closed to new investors, we are concerned that the Proposal would require 529 plan underwriters to collect and provide to the MSRB new information''); Ascensus letter (''w]e have the investment option closing dates and can provide this information if applicable''); ICI letter (''[t]o the extent the MSRB revises Form G–45 to elicit this information in an easy-to-disclose format (*e.g.,* as a ''check-the-box'' question), it is information that our members could easily report''); and SIFMA letter (''[w]e generally support the draft amendments pertaining to the program management fee and investment option closing data elements; however, we concur with the ICI on these points'').

[31] *See, e.g.,* American Funds letter and ICI letter.

[32] *See* note 10.

and CSPN no longer recommends that a 529 savings plan include three-year performance information.[33] Commenters suggested that the MSRB harmonize Form G–45 with the disclosure principles,[34] and that continuing to provide this information to the MSRB would not be helpful to investors and would be burdensome to produce.[35] In addition, three-year performance information is not required by the SEC for mutual funds.

The MBRB agrees with commenters' suggestion, and the proposed rule change would delete this requirement. Form G–45, even without the three-year performance data, would continue to provide the MSRB with sufficient performance information to assist the MSRB with its analysis of the 529 savings plan and ABLE program industries. Further, the suggestion would result in cost savings for those industries.

iv. Economic Analysis

Commenters confirmed that there is limited burden associated with providing investment option closing date information to the MSRB. As to the program management fee, commenters generally agree that it would be less burdensome to report than the benchmark performance and investment return data elements. While the MSRB agrees with ICI and other commenters [36] that expenses may be incurred by underwriters to redesign the current reporting system to report the program management fee separately, the MSRB believes the incurred expenses would likely be one-time only and should not be too burdensome for the industry. In addition, the percentage of the program management fee itself is already disclosed to the SEC, as the underlying mutual fund in which an investment option invests is required to disclose the percentage of the program management fee in the disclosure documents that it submits to the SEC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period of up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve or disapprove such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–MSRB–2018–08 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549.

All submissions should refer to File Number SR–MSRB–2018–08. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the MSRB. 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–MSRB–2018–08 and should be submitted on or before November 23, 2018.

For the Commission, pursuant to delegated authority.[37]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23966 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

[33] *See* note 11.

[34] *See* ICI letter and SIFMA letter.

[35] *See* SIFMA letter.

[36] *See* the Letters from Ascensus College Savings and American Funds.

[37] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84498; File No. SR–ICEEU–2018–014]

Self-Regulatory Organizations; ICE Clear Europe Limited; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Amendments to the Recovery Plan and Wind-Down Plan

October 29, 2018.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, as amended (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on October 16, 2018, ICE Clear Europe Limited (''ICE Clear Europe'' or the ''Clearing House'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule changes described in Items I and II below, which Items have been prepared primarily by ICE Clear Europe. ICE Clear Europe filed the proposed rule change pursuant to Section 19(b)(3)(A) [3] of the Act and Rule 19b–4(f)(6) thereunder,[4] so that the proposal was immediately 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

ICE Clear Europe proposes to make certain updates to its Recovery Plan and Wind-Down Plan. The revisions do not involve any changes to the ICE Clear Europe Clearing Rules or Procedures.[5]

II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, ICE Clear Europe included statements concerning the purpose of and basis for

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6).

[5] Capitalized terms used but not defined herein have the meanings specified in the ICE Clear Europe Clearing Rules (the ''Rules'').

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. ICE Clear Europe 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

(a) Purpose

ICE Clear Europe is proposing to make certain updates and amendments to its Recovery Plan and Wind-Down Plan. The amendments principally reflect certain changes in the Clearing House's treasury arrangements and related service providers, such as custody banks, investment agents and settlement banks, that are described in the current Recovery Plan and Wind-Down Plan.

Recovery Plan

Specifically, the discussion of Treasury Services in the Recovery Plan has been revised to reflect that ICE Clear Europe has appointed a number of concentration banks, custodians and APS banks to support the treasury function, and to reflect that the current list of such persons from time to time is made available on the Clearing House website. The amendments accordingly remove from the Recovery Plan certain references to specific banks.

Similarly, lists of key service providers have been updated to refer to the general categories of investment agents, custodians, custody agents, APS banks and central banks, to avoid the need to mention specific institutions in these categories and accordingly facilitate keeping the plan up to date. Corresponding changes have been made in appendices to the Recovery Plan to update references to various institutions that provide treasury services to ICE Clear Europe, including an additional investment agent. In ICE Clear Europe's view, the amendments will facilitate use by the Clearing House of additional service providers, consistent with other ICE Clear Europe policies and procedures, which will help the Clearing House appropriately manage credit, operational and other risks from treasury operations.

Wind-Down Plan

Similar updates are proposed to be made to the Wind-Down Plan. The discussion concerning termination of various service agreements during wind-down has been revised to refer more generally to the appointed investment agents, custodians, custody agents and settlement banks that may be used by the Clearing House at the time (rather than referring to specific institutions). The revisions also refer to the termination provisions (including notice requirements) of the particular agreements between ICE Clear Europe and those institutions. These amendments will facilitate keeping the Wind-Down Plan up to date as treasury service providers change from time to time. The amendments also add references to the Dutch National Bank as an additional central bank used as a concentration bank.

(b) Statutory Basis

ICEU believes that the proposed amendments are consistent with the requirements of Section 17A of the Act [6] and the regulations thereunder applicable to it, including the standards under Rule 17Ad–22.[7] Section 17A(b)(3)(F) of the Act [8] requires, among other things, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions, the safeguarding of securities and funds in the custody or control of the clearing agency or for which it is responsible, and the protection of investors and the public interest. In addition, Rule 17Ad–22(e)(3)(ii) [9] requires that each covered clearing agency shall establish, implement, maintain and enforce written policies and procedures reasonably designed to, as applicable, maintain a sound risk management framework for comprehensively managing legal, credit, liquidity, operational, general business, investment, custody, and other risks that arise in or are borne by the covered clearing agency, which includes plans for the recovery and orderly wind-down of the covered clearing agency necessitated by credit losses, liquidity shortfalls, losses from general business risk, or any other losses.

The amendments to the Recovery Plan and Wind-Down Plan are designed to update certain provisions relating to treasury arrangements of the Clearing House, principally to address changes in treasury service providers (such as custody banks, settlement banks and investment agents) currently referred to in the plans. The changes will also facilitate keeping the Recovery and Wind-Down Plan up to date as certain treasury service providers change from time to time, and facilitate use by the Clearing House of additional service providers to manage risks from treasury operations. The amendments do not otherwise affect the substantive provisions and procedures detailed in the Recovery Plan or the Wind-Down Plan for addressing recovery or wind-down as a result of credit losses, liquidity shortfalls, losses from general business risk or other losses, including the triggers for invoking recovery or wind-down procedures. The amendments also do not affect the recovery and wind-down tools and options available to the Clearing House to address severe loss events, or the planned sequence or scope of recovery or wind-down actions that ICE Clear Europe may take in a loss scenario. As a result, in ICE Clear Europe's view, the amended Recovery Plan and Wind-Down Plan will continue to satisfy the requirements of Section 17A(b)(3)(F) of the Act [10] and Rule 17Ad–22(e)(3)(ii).[11] In addition, ICE Clear Europe does not believe the amendments will affect the costs of recovery or wind-down, and therefore is of the view that its equity capital remains sufficient to satisfy the requirements of Rule 17Ad–22(e)(15) under the revised plans.[12]

(B) Clearing Agency's Statement on Burden on Competition

ICE Clear Europe does not believe the proposed amendments would have any impact, or impose any burden, on competition not necessary or appropriate in furtherance of the purposes of the Act. The amendments update certain provisions relating to service providers for Clearing House treasury operations, and do not otherwise change the substantive provisions of the Recovery Plan or the Wind-Down Plan. The amendments do not change the rights or obligations of

[6] 15 U.S.C. 78q–1.

[7] 17 CFR 240.17Ad–22.

[8] 15 U.S.C. 78q–1(b)(3)(F).

[9] 17 CFR 240.17Ad–22(e)(3)(ii).

[10] 15 U.S.C. 78q–1(b)(3)(F).

[11] 17 CFR 270.17Ad–22(e)(3)(ii).

[12] 17 CFR 270.17Ad–22(e)(15). Rule 17Ad–22(e)(15) requires the covered clearing agency to hold sufficient liquid net assets funded by equity to cover potential general business losses so that the covered clearing agency can continue operations and services as a going concern if those losses materialize, including by (i) determining the amount of liquid net assets funded by equity based upon its general business risk profile and the length of time required to achieve a recovery or orderly wind-down, as appropriate, of its critical operations and services if such action is taken, and (ii) holding liquid net assets funded by equity equal to the greater of either (x) six months of the covered clearing agency's current operating expenses, or (y) the amount determined by the board of directors to be sufficient to ensure a recovery or orderly wind-down of critical operations and services of the covered clearing agency, as contemplated by the recovery and wind-down plans established under Rule 17Ad–22(e)(3)(ii).

the Clearing House or Clearing Members under the Rules and Procedures. As a result, ICE Clear Europe does not believe the amendments will impact competition among Clearing Members or other market participants, affect the cost of clearing or affect the ability of market participants to access clearing generally.

(C) Clearing Agency's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed amendments have not been solicited or received by ICE Clear Europe. ICE Clear Europe will notify the Commission of any comments received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

(i) Significantly affect the protection of investors or the public interest;

(ii) impose any significant burden on competition; and

(iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act [13] and Rule 19b–4(f)(6) thereunder.[14]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is 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–ICEEU–2018–014 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–ICEEU–2018–014. 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 Section, 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 filings will also be available for inspection and copying at the principal office of ICE Clear Europe and on ICE Clear Europe's website at *https://www.theice.com/notices/Notices.shtml?regulatoryFilings*. 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–ICEEU–2018–014 and should be submitted on or before November 23, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[15]

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23968 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

[13] 15 U.S.C. 78s19(b)(3)(A)(iii).

[14] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. ICE Clear Europe has satisfied this requirement.

[15] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–519, OMB Control No. 3235–0578]

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736.

Extension:
Form N–Q

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (''Paperwork Reduction Act''), the Securities and Exchange Commission (the ''Commission'') has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

Form N–Q (17 CFR 249.332 and 274.130) is a reporting form used by registered management investment companies, other than small business investment companies registered on Form N–5 (''funds''), under Section 30(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) (''Investment Company Act'') and Sections 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). Pursuant to Rule 30b1–5 under the Investment Company Act (17 CFR 270.30b1–5), funds are required to file quarterly reports with the Commission on Form N–Q not more than 60 days after the close of the first and third quarters of each fiscal year containing their complete portfolio holdings. Additionally, fund management is required to evaluate the effectiveness of the fund's disclosure controls and procedures within the 90-day period prior to the filing of a report on Form N–Q, and such report must also be signed and certified by the fund's principal executive and financial officers.

We estimate that there are 11,960 funds required to file reports on Form N–Q. Based on staff experience and conversations with industry representatives, we estimate that it takes approximately 26 hours per fund to prepare reports on Form N–Q annually. Accordingly, we estimate that the total annual burden associated with Form N–Q is 310,960 hours (26 hours per fund × 11,960 funds) per year.

The estimates of average burden hours are made solely for the purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even

representative survey or study of the cost of Commission rules and forms. The collection of information under Form N–Q is mandatory. The information provided by the form is not kept confidential. 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 control number.

The public may view the background documentation for this information collection at the following website, *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Lindsay.M.Abate@omb.eop.gov*; and (ii) Charles Riddle, Acting Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: October 29, 2018.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23959 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copy Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Extension:

Rule 23c–3 and Form N–23c–3; SEC File No. 270–373, OMB Control No. 3235–0422

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for extension of the previously approved collection of information discussed below.

Rule 23c–3 (17 CFR 270.23c–3) under the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) permits a registered closed-end investment company (''closed-end fund'' or ''fund'') that meets certain requirements to repurchase common stock of which it is the issuer from shareholders at periodic intervals, pursuant to repurchase offers made to all holders of the stock. The rule enables these funds to offer their shareholders a limited ability to resell their shares in a manner that previously was available only to open-end investment company shareholders. To protect shareholders, a closed-end fund that relies on rule 23c–3 must send shareholders a notification that contains specified information each time the fund makes a repurchase offer (on a quarterly, semi-annual, or annual basis, or, for certain funds, on a discretionary basis not more often than every two years). The fund also must file copies of the shareholder notification with the Commission (electronically through the Commission's Electronic Data Gathering, Analysis, and Retrieval System (''EDGAR'')) on Form N–23c–3, a filing that provides certain information about the fund and the type of offer the fund is making.[1] The fund must describe in its annual report to shareholders the fund's policy concerning repurchase offers and the results of any repurchase offers made during the reporting period. The fund's board of directors must adopt written procedures designed to ensure that the fund's investment portfolio is sufficiently liquid to meet its repurchase obligations and other obligations under the rule. The board periodically must review the composition of the fund's portfolio and change the liquidity procedures as necessary. The fund also must file copies of advertisements and other sales literature with the Commission as if it were an open-end investment company subject to Section 24 of the Investment Company Act (15 U.S.C. 80a–24) and the rules that implement Section 24. Rule 24b–3 under the Investment Company Act (17 CFR 270.24b–3), however, exempts the fund from that requirement if the materials are filed instead with the Financial Industry Regulatory Authority (''FINRA'').

The requirement that the fund send a notification to shareholders of each offer is intended to ensure that a fund provides material information to shareholders about the terms of each offer. The requirement that copies be sent to the Commission is intended to enable the Commission to monitor the fund's compliance with the notification requirement. The requirement that the shareholder notification be attached to Form N–23c–3 is intended to ensure that the fund provides basic information necessary for the Commission to process the notification and to monitor the fund's use of repurchase offers. The requirement that the fund describe its current policy on repurchase offers and the results of recent offers in the annual shareholder report is intended to provide shareholders current information about the fund's repurchase policies and its recent experience. The requirement that the board approve and review written procedures designed to maintain portfolio liquidity is intended to ensure that the fund has enough cash or liquid securities to meet its repurchase obligations, and that written procedures are available for review by shareholders and examination by the Commission. The requirement that the fund file advertisements and sales literature as if it were an open-end fund is intended to facilitate the review of these materials by the Commission or FINRA to prevent incomplete, inaccurate, or misleading disclosure about the special characteristics of a closed-end fund that makes periodic repurchase offers.

The Commission staff estimates that 33 funds make use of rule 23c–3 annually, including eight funds that are relying upon rule 23c–3 for the first time. The Commission staff estimates that on average a fund spends 89 hours annually in complying with the requirements of the rule and Form N–23c–3, with funds relying upon rule 23c–3 for the first time incurring an additional one-time burden of 28 hours. The Commission therefore estimates the total annual hour burden of the rule's and form's paperwork requirements to be 3,161 hours. In addition to the burden hours, the Commission staff estimates that the average yearly cost to each fund that relies on rule 23c–3 to print and mail repurchase offers to shareholders is about $31,184.88. The Commission estimates total annual cost is therefore about $1,029,101.

Estimates of average burden hours and costs are made solely for purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even representative survey or study of the costs of Commission rules and forms. Compliance with the collection of information requirements of the rule and form is mandatory only for those funds that rely on the rule in order to repurchase shares of the fund. The information provided to the Commission on Form N–23c–3 will not be kept confidential. An agency may not conduct or sponsor, and a person is not required to respond to a collection of

[1] Form N–23c–3, entitled ''Notification of Repurchase Offer Pursuant to Rule 23c–3,'' requires the fund to state its registration number, its full name and address, the date of the accompanying shareholder notification, and the type of offer being made (periodic, discretionary, or both).

information unless it displays a currently valid OMB control number.

The public may view the background documentation for this information collection at the following website: *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Lindsay.M.Abate@omb.eop.gov*; and (ii) Charles Riddle, Acting Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace Kenner, 100 F Street NE, Washington, DC 20549 or by sending an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: October 29, 2018.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23960 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–603, OMB Control No. 3235–0658]

Submission to OMB; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Extension:
Rule 22e–3

Notice is hereby given that, under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), the Securities and Exchange Commission (the ''Commission'') has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

Section 22(e) of the Investment Company Act [15 U.S.C. 80a–22(e)] (''Act'') generally prohibits funds, including money market funds, from suspending the right of redemption, and from postponing the payment or satisfaction upon redemption of any redeemable security for more than seven days. The provision was designed to prevent funds and their investment advisers from interfering with the redemption rights of shareholders for improper purposes, such as the preservation of management fees. Although section 22(e) permits funds to postpone the date of payment or satisfaction upon redemption for up to seven days, it does not permit funds to suspend the right of redemption for any amount of time, absent certain specified circumstances or a Commission order.

Rule 22e–3 under the Act [17 CFR 270.22e–3] exempts money market funds from section 22(e) to permit them to suspend redemptions in order to facilitate an orderly liquidation of the fund. Specifically, rule 22e–3 permits a money market fund to suspend redemptions and postpone the payment of proceeds pending board-approved liquidation proceedings if: (i) The fund's board of directors, including a majority of disinterested directors, determines pursuant to § 270.2a–7(c)(8)(ii)(C) that the extent of the deviation between the fund's amortized cost price per share and its current net asset value per share calculated using available market quotations (or an appropriate substitute that reflects current market conditions) may result in material dilution or other unfair results to investors or existing shareholders; (ii) the fund's board of directors, including a majority of disinterested directors, irrevocably approves the liquidation of the fund; and (iii) the fund, prior to suspending redemptions, notifies the Commission of its decision to liquidate and suspend redemptions. Rule 22e–3 also provides an exemption from section 22(e) for registered investment companies that own shares of a money market fund pursuant to section 12(d)(1)(E) of the Act (''conduit funds''), if the underlying money market fund has suspended redemptions pursuant to the rule. A conduit fund that suspends redemptions in reliance on the exemption provided by rule 22e–3 is required to provide prompt notice of the suspension of redemptions to the Commission. Notices required by the rule must be provided by electronic mail, directed to the attention of the Director of the Division of Investment Management or the Director's designee.[1] Compliance with the notification requirement is mandatory for money market funds and conduit funds that rely on rule 22e–3 to suspend redemptions and postpone payment of proceeds pending a liquidation, and are not kept confidential.

Commission staff estimates that, on average, one money market fund would break the buck and liquidate every six years.[2] In addition, Commission staff estimates that there are an average of two conduit funds that may be invested in a money market fund that breaks the buck.[3] Commission staff further estimates that a money market fund or conduit fund would spend approximately one hour of an in-house attorney's time to prepare and submit the notice required by the rule. Given these estimates, the total annual burden of the notification requirement of rule 22e–3 for all money market funds and conduit funds would be approximately 30 minutes,[4] at a cost of $201.[5]

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act, and is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms.

Compliance with the collection of information requirements of the rule is necessary to obtain the benefit of relying on the rule. 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 control number.

The public may view the background documentation for this information collection at the following website, *www.reginfo.gov.* Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an email to: *Lindsay.M.Abate@omb.eop.gov*; and (ii) Charles Riddle, Acting Director/Chief Information Officer, Securities and Exchange Commission, c/o Candace

[1] *See* rule 22e–3(a)(3).

[2] This estimate is based upon the Commission's experience with the frequency with which money market funds have historically required sponsor support. Although the vast majority of money market fund sponsors have supported their money market funds in times of market distress, for purposes of this estimate Commission staff conservatively estimates that one or more sponsors may not provide support.

[3] Based on a review of filings with the Commission, Commission staff estimates that 2.3 conduit funds are invested in each master fund. However, master funds account for only 5.1% of all money market funds. Solely for the purposes of this information collection, and to avoid underestimating possible burdens, the Commission conservatively assumes that any money market that breaks the buck and liquidates would be a master fund.

[4] This estimate is based on the following calculations: (1 hour ÷ 6 years) = 10 minutes per year for each fund and conduit fund that is required to provide notice under the rule. 10 minutes per year × 3 (combined number of affected funds and conduit funds) = 30 minutes.

[5] This estimate is based on the following calculation: $401/hour × 30 minutes = $200.50. The estimated hourly wages used in this PRA analysis were derived from reports prepared by the Securities Industry and Financial Markets Association, modified to account for an 1800-hour work year and multiplied by 5.35 to account for bonuses, firm size, employee benefits and overhead, and adjusted for inflation.

Kenner, 100 F Street NE, Washington, DC 20549 or send an email to: *PRA_Mailbox@sec.gov.* Comments must be submitted to OMB within 30 days of this notice.

Dated: October 29, 2018.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23962 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–282, OMB Control No. 3235–0318]

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Extension:
Form N–4

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

The collection of information is entitled: ''Form N–4 (17 CFR 239.17b) under the Securities Act of 1933 and (17 CFR 274.11c) under the Investment Company Act of 1940, registration statement of separate accounts organized as unit investment trust.'' Form N–4 is the form used by insurance company separate accounts organized as unit investment trusts that offer variable annuity contracts to register as investment companies under the Investment Company Act of 1940 (15 U.S.C. 80a–1 *et seq.*) and/or to register their securities under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). Section 5 of the Securities Act (15 U.S.C. 77e) requires the filing of a registration statement prior to the offer of securities to the public and that the registration statement be effective before any securities are sold, and Section 8 of the Investment Company Act (15 U.S.C. 80a–8) provides for the registration of investment companies. Pursuant to Form N–4, separate accounts organized as unit investment trusts that offer variable annuity contracts provide investors with a prospectus and a statement of additional information covering essential information about a separate account. Section 5(b) of the Securities Act requires that investors be provided with a prospectus containing the information required in a registration statement prior to or at the time of sale or delivery of securities.

The purpose of Form N–4 is to meet the filing and disclosure requirements of the Securities Act and the Investment Company Act and to enable filers to provide investors with information necessary to evaluate an investment in a security. The information required to be filed with the Commission permits verification of compliance with securities law requirements and assures the public availability and dissemination of the information.

The estimated annual number of filings on Form N–4 is 35 initial registration statements and 1,326 post-effective amendments. The estimated average number of portfolios per filing is one, both for initial registration statements and post-effective amendments on Form N–4. Accordingly, the estimated number of portfolios referenced in initial Form N–4 filings annually is 35 and the estimated number of portfolios referenced in post-effective amendment filings on Form N–4 annually is 1,326. The estimate of the annual hour burden for Form N–4 is approximately 278.5 hours per initial registration statement and 197.25 hours per post-effective amendment, for a total of 271,301 hours ((35 initial registration statements × 278.5 hours) + (1,326 post-effective amendments × 197.25 hours)).

The current estimated annual cost burden for preparing an initial Form N–4 filing is $24,858 per portfolio and the current estimated annual cost burden for preparing a post-effective amendment filing on Form N–4 is $23,561 per portfolio. The Commission estimates that, on an annual basis, 35 portfolios will be referenced in initial Form N–4 filings and 1,326 portfolios will be referenced in post-effective amendment filings on Form N–4. Thus, the estimated total annual cost burden allocated to Form N 4 would be $32,111,916 ((35 × $24,858) + (1,326 × $23,561)).

Providing the information required by Form N–4 is mandatory. Responses will not be kept confidential. Estimates of average burden hours are made solely for the purposes of the Paperwork Reduction Act, and are not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms. 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 control number.

Written 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 collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Charles Riddle, Acting Director/Chief Information Officer, Securities and Exchange Commission, C/O Candace Kenner, 100 F Street NE, Washington, DC 20549; or send an email to: *PRA_Mailbox@sec.gov.*

Dated: October 29, 2018.

Eduardo A. Aleman,

Assistant Secretary.

[FR Doc. 2018–23957 Filed 11–1–18; 8:45 am]

BILLING CODE 8011–01–P

SMALL BUSINESS ADMINISTRATION

[Docket No.: SBA–2018–0010]

Development Company Loan Program—Job Creation and Retention Requirements; Additional Areas for Higher Portfolio Average

AGENCY: U.S. Small Business Administration.

ACTION: Notification of changes to Development Company Program; request for comments.

SUMMARY: The Small Business Administration (SBA) is changing the job creation or retention requirements under its Development Company Loan Program (504 Loan Program) by increasing the dollar amounts used in calculating the number of jobs that must be created or retained for each 504 Project and for the portfolio average of each Certified Development Company. In addition, SBA is designating additional areas for application of the higher portfolio average.

DATES: *Applicability Date:* The job creation or retention requirements and the designation of the additional areas that are described in this document will apply to all 504 loans that are approved

under the 504 Loan Program on or after November 2, 2018.

Comment Date: SBA must receive comments on or before December 3, 2018.

ADDRESSES: You may submit comments, identified by Docket No. SBA–2018–0010, by any of the following methods: (1) Federal eRulemaking Portal: *https://www.regulations.gov,* following the instructions for submitting comments; or (2) Mail/Hand Delivery/Courier: Babak Hosseini, Finance and Loan Specialist, Office of Financial Assistance, U.S. Small Business Administration, 409 3rd Street SW, Washington DC 20416.

SBA will post all comments on *https://www.regulations.gov.* If you wish to submit confidential business information (CBI) as defined in the User Notice at *https://www.regulations.gov,* you must submit such information to U.S. Small Business Administration, 409 3rd Street SW, Washington, DC 20416, Attn: Babak Hosseini, Finance and Loan Specialist; or send an email to *babak.hosseini@sba.gov.* Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review your information and determine whether it will make the information public.

FOR FURTHER INFORMATION CONTACT: Babak Hosseini, Finance and Loan Specialist, Office of Financial Assistance, U.S. Small Business Administration; telephone: 202–205–7076; email: *babak.hosseini@sba.gov.*

SUPPLEMENTARY INFORMATION: The 504 Loan Program is an SBA financing program authorized under Title V of the Small Business Investment Act of 1958 (the SBIAct), 15 U.S.C. 695 *et seq.* The purpose of the 504 Loan Program is to foster economic development and to create or preserve job opportunities in both urban and rural areas by providing long-term financing for small business concerns. *See* section 501(a) of the SBIAct, 15 U.S.C. 695(a). Under the 504 Loan Program, loans are made to small business applicants by Certified Development Companies (CDCs), which are certified and regulated by SBA to promote economic development within their community. In general, a project in the 504 Loan Program (a 504 Project) is financed through: A loan obtained from a private sector lender with a senior lien covering at least 50 percent of the project cost; a loan obtained from a CDC (a 504 Loan) with a junior lien covering up to 40 percent of the total cost (backed by a 100 percent SBA-guaranteed debenture); and a contribution from the Borrower of at least 10 percent equity.

To qualify for financing under the 504 Loan Program, each 504 Project must satisfy one of the economic development objectives or public policy goals set forth in sections 501(d)(1) through (3) of the SBIAct. Under section 501(d)(1), a Project is eligible for 504 financing if it creates job opportunities within two years of completion of the Project or if it preserves jobs attributable to the Project. To satisfy this objective under current requirements, each 504 Project must create or preserve one job for every $65,000 guaranteed by SBA; in the case of a small manufacturing Project, the amount is $100,000. *See* section 501(e)(1) of the SBIAct and 74 FR 16432 (April 10, 2009).

If the Project is eligible for financing under one of the objectives or goals set forth in section 501(d)(2) or (3), the Project need not satisfy the job creation or preservation criteria described above, but the CDC's overall portfolio of outstanding debentures must meet or exceed the job creation or preservation criteria of one job for every $65,000 guaranteed by SBA. *See* section 501(e)(2) of the SBIAct and 74 FR 16432 (April 10, 2009). In addition, for projects in Alaska, Hawaii, State-designated enterprise zones, empowerment zones and enterprise communities, labor surplus areas (as determined by the Secretary of Labor), and for other areas designated by SBA, the CDC's portfolio may average not more than $75,000 per job created or retained. *See* section 501(e)(3) of the SBIAct; 74 FR 16432 (April 10, 2009). (Loans for Projects of small manufacturers are excluded from the overall portfolio calculations.)

In the application for a loan under the 504 Loan Program, the borrower enters the number of jobs to be created or retained as a result of the Project and the CDC verifies that the Project meets the job creation or retention requirements. In addition, the job impact data is entered into SBA's database, and the application data combined with data from annual CDC reports is used to report the total number of jobs created or retained.

The SBIAct authorizes SBA to develop the job creation or job preservation criteria that apply to the 504 Loan Program. *See* section 501(d) of SBIAct (last freestanding paragraph after paragraph 501(d)(3)(L)). SBA's regulations provide that ''[a] Project must create or retain one Job Opportunity per an amount of 504 loan funding that will be specified by SBA from time to time in a **Federal Register** notice.'' 13 CFR 120.861. SBA's regulations also provide that ''[a] CDC's portfolio must maintain a minimum average of one Job Opportunity per an amount of 504 loan funding that will be specified by SBA from time to time in a **Federal Register** notice.'' 13 CFR 120.829(a).

The standard of one job for every $65,000 guaranteed by SBA, which applies to both individual Projects and to the CDC's overall portfolio average, has been in effect since it was adopted in 2009. *See* section 504(b) of the American Recovery and Reinvestment Act of 2009, Public Law 111–5. In addition, the standards for both (1) Projects of small manufacturers, and (2) Projects in Alaska, Hawaii, State-designated enterprise zones, empowerment zones and enterprise communities, labor surplus areas (as determined by the Secretary of Labor), and other areas designated by the Administrator of SBA, have not been changed since they were first enacted in 2004 by section 105 of the Small Business Reauthorization and Manufacturing Assistance Act of 2004, Public Law 108–447. For small manufacturing Projects, the standard is one job for every $100,000 guaranteed by SBA; for Projects in Alaska, Hawaii and other designated areas, the standard is that the CDC's portfolio may average not more than $75,000 per job created or retained.

Although the job creation or retention standards for the 504 Loan Program have not been increased since 2009, and in some cases earlier, the Consumer Price Index for All Urban Consumers has increased 19% from 2009 through August 2018 according to the Bureau of Labor Statistics of the U.S. Department of Labor. Accordingly, pursuant to 13 CFR 120.829(a) and 120.861, SBA is modifying the Job Opportunity requirements as follows:

(1) A Project must create or retain one Job Opportunity per $75,000 guaranteed by SBA except that, in the case of a Project of a small manufacturer, the Project must create or retain one Job Opportunity per $120,000 guaranteed by SBA;

(2) For Projects that are eligible under 13 CFR 120.862, ''Other economic development objectives,'' a CDC's portfolio must reflect an average of one Job Opportunity for every $75,000 guaranteed by SBA; and

(3) For Projects in Alaska, Hawaii, State-designated enterprise zones, empowerment zones and enterprise communities, labor surplus areas (as determined by the Secretary of Labor), and for other areas designated by SBA, the CDC's portfolio may average not more than $85,000 per job created or retained.

In addition, pursuant to section 501(e)(3) of the SBIAct, 15 U.S.C.

695(e)(3), SBA is designating ''Opportunity Zones'' as additional areas for which the higher portfolio average described in paragraph (3) above would apply. An Opportunity Zone is an economically distressed community that has been nominated by the State and certified by the Secretary of the U.S. Treasury as a community in which new investments, under certain conditions, may be eligible for preferential tax treatment. More information and a list of Opportunity Zones for all States are available at *https://www.cdfifund.gov/Pages/Opportunity-Zones.aspx.*

SBA has determined that the changes described in this Notice should apply immediately to any 504 Loan that is approved on or after November 2, 2018 in order to give CDCs and small business applicants the benefits of these changes as soon as possible and because neither the new job creation/retention requirements nor the additional areas designated for application of the higher portfolio average will adversely affect either CDCs or their small business applicants.

SBA invites public comments on these new job creation or preservation standards and the designation of additional areas for application of the higher portfolio average described above. Please clearly identify paper and electronic comments as ''Public Comments on 504 Loan Program's Job Opportunity Requirements, Docket No. SBA–2018–0010'' and submit them by one of the methods identified in the **ADDRESSES** section of this document. SBA will consider the comments and determine whether any revisions are necessary.

Authority: 15 U.S.C. 695(d); 13 CFR 120.829(a) and 120.861.

Dated: October 29, 2018.

Linda E. McMahon,

Administrator.

[FR Doc. 2018–24033 Filed 11–1–18; 8:45 am]

BILLING CODE 8025–01–P

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA–2018–0062]

Privacy Act of 1974; System of Records

AGENCY: Office of the Commissioner, Social Security Administration (SSA).

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the Privacy Act, we are issuing public notice of our intent to modify an existing system of records entitled, Assignment and Correspondence Tracking (ACT) System (60–0001), last published in full on January 11, 2006. This notice publishes details of the proposed updates as set forth below under the caption, **SUPPLEMENTARY INFORMATION**.

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 December 3, 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 December 3, 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–2018–0062. 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: Tristin Dorsey, 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) 965–2950, email: *tristin.dorsey@ssa.gov.*

SUPPLEMENTARY INFORMATION: We are modifying the system of records name from ACT System, SSA, Office of the Commissioner, to the Electronic Management of Assignments and Correspondence (EMAC) to accurately reflect the system name, hereinafter referred to as EMAC. We are also modifying the notice throughout to correct miscellaneous stylistic formatting and typographical errors of the previously published Notice, and to ensure the language reads consistently across multiple systems.

We are modifying the system manager to clarify the name of the office and specifying in the categories of records that correspondence may be received in all agency offices. We are revising the categories of individuals and explaining how the records are retrieved. We are also adding new routine uses to clarify that records may be provided to the Department of Treasury, Internal Revenue Service (IRS), for auditing purposes, to contractors and other Federal agencies for the purpose of assisting SSA in the efficient administration of its programs, and to other Federal agencies and entities for the purpose of assisting in breach responses. The entire notice is being republished for ease of reference.

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: October 25, 2018.

Mary Zimmerman,

Acting Executive Director, Office of Privacy and Disclosure, Office of the General Counsel.

SYSTEM NAME AND NUMBER

Electronic Management of Assignments and Correspondence, 60–0001.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Social Security Administration, Office of the Commissioner, Robert M. Ball Building, 6401 Security Boulevard, Baltimore, Maryland 21235–6401.

SYSTEM MANAGER(S):

Social Security Administration, Chief of Staff, Office of the Commissioner, Robert M. Ball Building, 6401 Security Boulevard, Baltimore, MD 21235–6401, *OC.Controls@ssa.gov*.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 205 and 1631 of the Social Security Act, as amended (42 U.S.C. 405) and (42 U.S.C. 1383).

PURPOSE(S) OF THE SYSTEM:

We will use the information in this system to assist us in supporting agency objectives to track, manage, and respond to external correspondence received from members of the public, the media, the White House, Congress, and other Federal agencies that require information or a response from SSA. We will also use this system to track and manage correspondence and assignments within SSA, and use the system to make assignments to agency employees to respond to the external requests. The system is an internal web-based system allowing authorized employees at all organizational levels to electronically access, create, assign, and process correspondence from the receipt of an inquiry through its completed response.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who request information directly from us (*e.g.,* Social Security beneficiaries or individuals inquiring on their behalf), the media, the White House, Congress, or other Federal agency point of contact information, SSA employees who initiate actions from within the system, and on SSA employees who submit responses to the external requests from individuals.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system maintains incoming or outgoing correspondence received, created, or compiled in response to external or internal requests for information, or assignments by individuals within or external to the agency. Information in the correspondence may include the name of the claimant; the name of the individual submitting the inquiry; the date of the correspondence; the date received in SSA; the SSA component responsible for responding to the inquiry; and a description of the inquiry or action needed.

RECORD SOURCE CATEGORIES:

We obtain information in this system of records primarily from the authorized employees who scan the correspondence into the system, create the assignments, and respond to inquiries. This system does not pull information from other agency systems.

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 (IRC), unless authorized by a 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 a third party acting on the subject's behalf.

2. To the Office of the President in response to an inquiry received from that office made on behalf of, and at the request of, the subject of 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 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 such tribunal, is relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure 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.

5. 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 PII in SSA records in order to perform their assigned agency functions.

6. 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 SSA workplace, and 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 operation of SSA facilities.

7. To appropriate agencies, entities, and persons when:

(a) SSA suspects or has confirmed that there has been a breach of this 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 connection with SSA's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

8. To the IRS, Department of Treasury, for the purpose of auditing SSA's compliance with the safeguard provisions of the IRC of 1986, as amended.

9. To contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We will 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.

10. 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.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

We will maintain records in this system in paper and electronic form.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

We will retrieve records in this system by the requestor's name, subject of control/assignment, or control/assignment description.

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 records 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, but are not limited to, the use of codes and profiles, personal identification number and password, and personal identification verification cards. We restrict access to specific correspondence within the system based on assigned roles and authorized users assigned to specific component level

groups. We keep paper records in 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 (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:

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 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 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:

None.

HISTORY:

71 FR 1800, Assignment and Correspondence Tracking (ACT) System.

[FR Doc. 2018–23943 Filed 11–1–18; 8:45 am]

BILLING CODE P

SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA–2018–0060]

Privacy Act of 1974; System of Records

AGENCY: Office of Retirement and Disability Policy, Office of Income Security Programs, Social Security Administration (SSA).

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the Privacy Act, we are issuing public notice of our intent to modify an existing system of records, entitled Master Representative Payee File (60–0222), last published in full on April 22, 2013. This notice publishes details of the modified system as set forth under the caption, **SUPPLEMENTARY INFORMATION**.

DATES: The system of records notice (SORN) is applicable upon its publication in today's **Federal Register**, with the exception of the new routine uses, which are effective December 3, 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 December 3, 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–2018–0060. 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: Andrea Huseth, Government Information Specialist, Disclosure and Data Support 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) 965–6868, email: *andrea.huseth@ssa.gov* and Tristin Dorsey, 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) 965–2950, email: *tristin.dorsey@ssa.gov.*

SUPPLEMENTARY INFORMATION: Social Security's representative payee program provides financial management for Social Security beneficiaries, Supplemental Security Income (SSI) recipients, and Special Veterans Benefits recipients who are incapable of managing their benefits or payments. The representative payee's primary responsibility is to use the beneficiary's benefits or recipient's payments for the beneficiary's or recipient's current and foreseeable needs. The Strengthening Protections for Social Security Beneficiaries Act of 2018 (H.R. 4547, Pub. L. 115–165, hereafter referred to as Pub. L. 115–165) directs SSA to conduct background investigations on certain representative payees at least once every five years. Routine use #19 currently allows for the disclosure of representative payee information to third parties to obtain criminal history information. As of 2013, SSA's policy was to make such disclosures via routine use #19 at the time a representative payee applied to become a representative payee. We are notifying all current representative payees and future representative payee applicants (with some exceptions, discussed below) that SSA will begin, in accordance with Public Law 115–165, making such disclosures under routine use #19 both at the time of application and on a continuing basis at least once every five years. Beginning in 2019 for all current representative payees, SSA will make disclosures under routine use #19, and will do so at least once every five years. We may, however, exempt certain close family members serving as representative payees (including but not limited to the custodial parent of a minor beneficiary/recipient, spouse of a

beneficiary/recipient, and custodial court appointed guardian of a beneficiary/recipient) from the background investigation process. Any representative payee who does not want his or her information disclosed to a third party for background investigation purposes should terminate his or her representative payee appointment in accordance with agency policy.

We are modifying the authority for maintenance of the system to include Public Law 115–165. We are revising the category of records to specify that we will maintain records in support of representative payee reviews, including educational visits, in this system and to clarify that criminal history information may include records addressing inaccuracies (*e.g.,* records a representative payee provides to disprove criminal background information obtained from a third party). We are clarifying when and on whom we will conduct background checks and that we may retrieve records by beneficiary, recipient, or claimant personally identifying information (PII), in addition to, that of the representative payee. We are expanding the record source categories to include grantees, as a result of Public Law 115–165, and to local and state government agencies. We are also adding new routine use #24 to permit disclosures to other Federal agencies and entities, for the purpose of assisting in breach responses. Lastly, we are modifying the notice throughout to correct miscellaneous stylistic formatting and typographical errors of the previously published notice, and to ensure the language reads consistently across multiple systems. The entire notice is being republished for ease of reference.

In accordance with 5 U.S.C. 552a(r), we provided a report to OMB and Congress on this revised system of records.

Dated: October 24, 2018.

Mary Zimmerman,

Acting Executive Director, Office of Privacy and Disclosure, Office of the General Counsel.

SYSTEM NAME AND NUMBER

Master Representative Payee File, 60–0222.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Social Security Administration, Office of Retirement and Disability Policy, 6401 Security Boulevard, Baltimore, MD 21235.

SYSTEM MANAGER(S):

Social Security Administration, Deputy Commissioner for the Office of Retirement and Disability Policy, 6401 Security Boulevard, Baltimore, MD 21235, *DCRDP.Controls@ssa.gov.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 205(a), 205(j), 208, 807, 811, 1631(a), and 1632 of the Social Security Act, as amended, the Social Security Protection Act of 2004 (Pub. L. 108–203), and the Strengthening Protections for Social Security Beneficiaries Act of 2018 (Pub. L. 115–165).

PURPOSE(S) OF THE SYSTEM:

We will use the information in this system to assist us in the selection process of a representative payee by enabling Social Security field offices to better screen applicants to determine their suitability to become and remain representative payees. We will also use the data for management information and workload projection purposes, and to prepare annual reports to Congress on representative payee activities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system maintains information about all representative payees and representative payee applicants, including persons whose certifications as representative payees have been revoked or terminated on or after January 1, 1991; persons who have been convicted of a violation of sections 208, 811, and 1632 of the Social Security Act, as amended; persons convicted under other statutes in connection with services as a representative payee, and others whose certification as a representative payee SSA has revoked due to misuse of funds paid under Title II, Title VIII, and Title XVI of the Social Security Act; persons who are acting or have acted as representative payees; representative payee applicants who were not selected to serve as representative payees; representative payee applicants who have been convicted of an offense resulting in more than one (1) year imprisonment; representative payees and representative payee applicants who have an outstanding felony warrant; organizational payees who have been authorized to collect a fee for their service; and beneficiaries, recipients, or claimants who are or may be served by representative payees.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system maintains records that consist of the following:

1. Names and Social Security numbers (SSNs) (or employer identification numbers (EINs)) of representative payees whose certifications for payment of benefits as representative payees have been revoked or terminated on or after January 1, 1991, because of misuse of benefits under Title II, Title VIII, or Title XVI of the Social Security Act;

2. Names and SSNs (or EINs) of all persons convicted of violations of sections 208, 811, and 1632 of the Social Security Act, as amended;

3. Names, addresses, and SSNs (or EINs) of persons convicted of violations of statutes other than sections 208, 811, and 1632 of the Social Security Act, when such violations were committed in connection with the individual's service as a Social Security representative payee;

4. Names, addresses, SSNs, and information about representative payee or representative payee applicant self-reported crimes, outstanding felony warrants, or imprisonment for a period exceeding one (1) year (an indicator will be used in the system to identify persons identified as having an outstanding felony warrant);

5. Names, addresses, and SSNs (or EINs) of representative payees who are receiving benefit payments pursuant to sections 205(j), 807, or 1631(a)(2) of the Social Security Act;

6. Names, addresses, and SSNs of persons for whom representative payees are reported to be providing representative payee services under sections 205(j), 807, or 1631(a)(2) of the Social Security Act;

7. Names, addresses, and SSNs of representative payee applicants who were not selected as representative payees;

8. Names, addresses, and SSNs of persons who were terminated as representative payees for reasons other than misuse of benefits paid to them on behalf of beneficiaries or recipients;

9. Information concerning the representative payee's relationship to the beneficiaries or recipients they serve;

10. Names, addresses, EINs, and qualifying information of organizations authorized to charge a fee for providing representative payee services;

11. Codes which indicate the relationship (other than familial) between the beneficiaries or recipients and the persons who have custody of the beneficiaries or recipients;

12. Dates and reasons for representative payee terminations (*e.g.,* performance not acceptable, death of payee, beneficiary in direct payment, etc.) and revocations;

13. Codes indicating whether representative payee applicants were selected or not selected;

14. Dates and reasons representative payee applicants were not selected to serve as payees, dates and reasons for changes of payees (*e.g.,* beneficiary in direct payment, a criminal history etc.);

15. Amount of benefits misused;

16. Identification number assigned to the claim on which the misuse occurred;

17. Date of the determination of misuse;

18. Information about a felony conviction reported by the representative payee;

19. Criminal history information obtained from SSA databases, representative payees, third parties, contractors, and other Federal agencies, including records that dispute criminal history information provided by third parties;

20. Annual payee accounting reports; and,

21. Records of representative payee reviews, including educational visits.

RECORD SOURCE CATEGORIES:

We obtain information in this system from representative payee applicants and representative payees; third parties, contractors, grantees and local, state, and Federal government agencies; the SSA Office of Inspector General; and existing SSA systems of records such as the Master Files of SSN Holders and SSN Applications, 60–0058; Claims Folders System, 60–0089; Master Beneficiary Record, 60–0090; SSI Record and Special Veterans Benefits, 60–0103; Recovery of Overpayments, Accounting and Reporting/Debt Management System, 60–0094; and Prisoner Update Processing System, 60–0269.

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 (IRC), unless authorized by statute, the Internal Revenue Service (IRS), or IRS regulations.

1. To the Department of Justice (DOJ), a court or other tribunal, or another party before such court or tribunal, when:

(a) The Social Security Administration (SSA), or any component thereof; or

(b) any SSA employee in his or her official capacity; or

(c) any SSA employee in his or 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 that the litigation is likely to affect SSA or any of its components, is a party to 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, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

2. 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.

3. To the National Archives and Records Administration (NARA) under 44 U.S.C. 2904 and 2906.

4. To the Department of Veterans Affairs (VA), Regional Office, Manila, Philippines, for the administration of the Social Security Act in the Philippines and other parts of the Asia-Pacific region through services and facilities of that agency.

5. To the Department of State, for administration of the Social Security Act in foreign countries rough services and facilities of that agency.

6. To the American Institute, a private corporation under contract to the Department of State, for administering the Social Security Act in Taiwan through facilities and services of that agency.

7. To DOJ for:

(a) Investigating and prosecuting violations of the Social Security Act to which criminal penalties attach;

(b) representing the Commissioner of Social Security; and,

(c) investigating issues of fraud or violations of civil rights by officers or employees of the SSA.

8. 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.

9. To the VA, for the shared administration of the VA's and SSA's representative payee programs.

10. To contractors and other Federal Agencies, as necessary, for the purpose of assisting the SSA in the efficient administration of its programs. We will disclose information under this routine use only in situations in which SSA may enter into a contractual or similar agreement to obtain assistance in accomplishing an SSA function relating to this system of records.

11. To a third party such as a physician, social worker, or community service worker, who has, or is expected to have, information, which is needed to evaluate one or both of the following:

(a) The claimant's capability to manage or direct the management of his or her benefits; or

(b) any case in which disclosure aids investigation of suspected misuse of benefits, abuse or fraud, or is necessary for program integrity, or quality appraisal activities.

12. To a third party, where necessary, information pertaining to the identity of a representative payee or representative payee applicant, the fact of the person's application for or service as a representative payee, and, as necessary, the identity of the beneficiary, to obtain information on employment, sources of income, criminal justice records, stability of residence, and other information relating to the qualifications and suitability of representative payees or representative payee applicants to serve as representative payees, or their use of the benefits paid to them under sections 205(j), 807, or 1631(a) of the Social Security Act.

13. To a claimant, or other individual authorized to act on his or her behalf, information concerning the status of his or her representative payee or the status of the application of a person applying to be his or her representative payee, and information pertaining to the address of a representative payee applicant or a selected representative payee, when this information is needed to pursue a claim for recovery of misapplied or misused benefits.

14. To the Railroad Retirement Board (RRB), for the administration of RRB's representative payment program.

15. 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 PII in SSA records in order to perform their assigned agency functions.

16. To the Office of Personnel Management (OPM), for the administration of OPM's representative payee programs.

17. To the Secretary of Health and Human Services or to any State, any record or information requested in writing by the Secretary for the purpose of administering any program administered by the Secretary, if records or information of such type were so disclosed under applicable rules, regulations and procedures in effect

before the date of enactment of the Social Security Independence and Program Improvements Act of 1994.

18. 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.

19. To third parties, contractors, or other Federal agencies, as necessary, to conduct criminal background checks and to obtain criminal history information on representative payees and representative payee applicants.

20. 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 and 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 operation of SSA facilities.

21. To agencies or entities who have a written agreement with SSA, to perform representative payee reviews for SSA and to provide training, administrative oversight, technical assistance, and other support for those reviews.

22. To state protection and advocacy systems, that have a written agreement with SSA to conduct reviews of representative payees, for the purpose of conducting additional reviews that the protection and advocacy systems have reason to believe are warranted.

23. To agencies or entities with responsibility for investigating or addressing possible financial exploitation of, an immediate health or safety threat to, or other serious risk to the well-being of the beneficiary, for referral, when these issues are identified during a representative payee review

24. 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.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

We maintain records in this system in paper and electronic form.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

We will retrieve records by the representative payee's, beneficiary's, recipient's, or claimant's SSN, EIN or name.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

In accordance with NARA rules codified at 36 CFR 1225.16, we maintain records in accordance with the NARA approved Agency-Specific Records Schedules N1–47–09–04 and N1–47–09–5.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

We retain electronic and paper files containing personal identifiers in secure areas and systems accessible only by our authorized employees who have a need for the information when performing their official duties. Security measures include, but are not limited to, the use of codes and profiles, personal identification number and password, and personal identification verification cards. We restrict access to specific correspondence within the system based on assigned roles and authorized users. We maintain electronic files with personal identifiers in secure storage areas. We will use audit mechanisms to record sensitive transactions as an additional measure to protect information from unauthorized disclosure or modification. We keep paper records in 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 require agencies and entities performing work for SSA who require access to information from this system to impose equivalent safeguards.

We annually provide our employees, contractors, and others performing work for us 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. See 5 U.S.C. 552a(i)(1). Furthermore, those with access to databases maintaining PII are informed of the penalties for improper access and disclosure of PII.

RECORD ACCESS PROCEDURES:

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, 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:

None.

HISTORY:

78 FR 23811, Master Representative Payee File.

83 FR 31250, Master Representative Payee File.

83 FR 31251, Master Representative Payee File.

[FR Doc. 2018–23941 Filed 11–1–18; 8:45 am]

BILLING CODE P

DEPARTMENT OF STATE

Delegation of Authority 374–1: Authority to Accept Volunteer Services From Students

By virtue of the authority vested in the Secretary of State by the laws of the United States, including 22 U.S.C. 2651a and 5 U.S.C. 3111 (''Section 3111''), and delegated by Delegation of Authority 198, dated September 16, 1992, to the extent authorized by law and pursuant to subsection (b) of Section 3111, I hereby delegate the authority of the Secretary to accept voluntary services for the United States to the Director of the Office of Civil Rights (S/OCR).

This authority is limited to the acceptance of voluntary services provided by law students who are filling legal extern and intern positions.

Any official action within the scope of this delegation taken prior to the effective date of this delegation by the Director of S/OCR are hereby ratified and continued in effect, according to their terms, until modified, revoked, or superseded by authorized action.

Notwithstanding this delegation of authority, the Secretary, the Deputy Secretary, and the Under Secretary of State for Management may at any time exercise the authority herein delegated. This delegation of authority does not amend or supersede any other valid delegation of authority.

This delegation of authority will be published in the **Federal Register**.

Dated: October 12, 2018.

William E. Todd,

Deputy Under Secretary of State for Management.

[FR Doc. 2018–24028 Filed 11–1–18; 8:45 am]

BILLING CODE 4710–10–P

SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 784X)]

CSX Transportation, Inc.—Abandonment Exemption—in Cobb County, Ga.

CSX Transportation, Inc. (CSXT), has filed a verified notice of exemption under 49 CFR pt. 1152 subpart F–*Exempt Abandonments* to abandon an approximately 2.3-mile rail line on its Atlanta Terminal Subdivision, Atlanta Division, between milepost SG 579.29 near Plant Atkinson Road and milepost SG 581.61 just west of East-West Connector, in Cobb County, Ga. (the Line). The Line traverses United States Postal Zip Codes 30080 and 30082 and includes one station at Edna (FSAC 23500).

CSXT has certified that: (1) no local rail traffic has moved over the Line during the past two years; (2) any overhead traffic on the Line can be rerouted over other lines; (3) no formal complaint filed by a user of a rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line is either pending with the Surface Transportation Board (Board) or with any U.S. District Court or had been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received,[1] this exemption will be effective on December 2, 2018, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[2] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[3] and trail use/rail banking requests under 49 CFR 152.29 must be filed by November 9, 2018.[4] Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 23, 2018, with the Surface Transportation Board, 395 E Street, SW, Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to CSXT's representative, Louis E. Gitomer, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

If the verified notice contains false or misleading information, the exemption is void ab initio.

CSXT has filed a combined environmental and historic report that addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by November 9, 2018. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423–0001) or by calling OEA at (202) 245–0305. Assistance for the hearing impaired is available through the Federal Information Relay Service at (800) 877–8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by CSXT's filing of a notice of consummation by November 2, 2019, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at *www.stb.gov.*

Decided: October 30, 2018.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Tammy Lowery,

Clearance Clerk.

[FR Doc. 2018–24034 Filed 11–1–18; 8:45 am]

BILLING CODE 4915–01–P

[1] The Board modified its OFA procedures effective July 29, 2017. Among other things, the OFA process now requires potential offerors, in their formal expression of intent, to make a preliminary financial responsibility showing based on a calculation using information contained in the carrier's filing and publicly available information. *See Offers of Financial Assistance,* EP 729 (STB served June 29, 2017); 82 FR 30997 (July 5, 2017).

[2] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Serv. Rail Lines,* 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[3] Each OFA must be accompanied by the filing fee, which is currently set at $1,800. *See Regulations Governing Fees for Servs. Performed in Connection with Licensing & Related Servs.—2017 Update,* EP 542 (Sub-No. 25), slip op. App. B at 13 (STB served Aug. 8, 2018).

[4] CSXT states that it is working on an agreement with the State of Georgia to transfer the corridor and convert the Line to a trail under a notice of interim trail use or abandonment (NITU) agreement contingent on Board approval for authority to abandon.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Hazardous Materials Training Requirements

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 of a new information collection. This collection involves FAA certification process requirements for operators and repair stations who are required to submit documentation related to hazardous materials training programs.

DATES: Written comments should be submitted by January 2, 2019.

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: 2120–0705.

Title: Hazardous Materials Training Requirements.

Form Numbers: There are no FAA forms associated with this collection of information.

Type of Review: Renewal of an information collection.

Background: The FAA, as prescribed in 14 CFR parts 121 and 135, requires certificate holders to submit manuals and hazardous materials (hazmat) training programs, or revisions to an approved hazmat training program to obtain initial and final approval as part of the FAA certification process. Original certification is completed in accordance with 14 CFR part 119. Continuing certification is completed in accordance with 14 CFR parts 121 and 135. The FAA uses the approval process to determine compliance of the hazmat training programs with the applicable regulations, national policies and safe operating practices. The FAA must ensure that the documents adequately establish safe operating procedures. Additionally, 14 CFR part 145 requires certain repair stations to provide documentation showing that persons handling hazmat for transportation have been trained following DOT guidelines.

Respondents: Part 121, 135, and 145 certificate holders. Approximately 2,800.

Frequency: Information is collected on occasion. Part 121 and part 135 operators are required to submit documentation of their hazardous materials training to receive original certification. If the operator decides to make a change to their training program, they must provide the updated manual. Part 145 repair station is required to submit a statement to the FAA certifying that all of their hazmat employees are trained under the Hazardous Materials Regulations prior to receiving their initial part 145 certificate.

Estimated Average Burden per Response: The amount of time per response is expected to vary. For example, new responses take significantly longer than revisions. Furthermore, operators with will-carry hazardous materials operations are anticipated to have longer responses than will-not carry hazardous materials operations. Part 145 repair stations will require less time to develop a certification statements than operators require to develop a manual. Additionally certificate holders vary in the type and size of the operations. Certificate holders are not anticipated to spend the same amount of time each year. Therefore, based on FAA's subject matter expertise we continue to expect reporting to take an average .6 hours, and recordkeeping to take .7 hours for a total of 1.3 hours per response. These are an annualized average which account for the wide variability in the type, complexity and size of operation. Additionally, the type of update can vary. Operators may make minor revisions to the manual, or they may choose to make more significant changes reflecting a larger change in their operations.

Estimated Total Annual Burden: 7,300 hours.

Issued in Fort Worth, TX on October 11, 2018.

Barbara L. Hall,

FAA Information Collection Clearance Officer, Performance, Policy, and Records Management Branch, ASP–110.

[FR Doc. 2018–24043 Filed 11–1–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA–2018–0939; Notice of Availability Docket No. 18–ANE–6]

Notice of Availability of Categorical Exclusion and Record of Decision (CATEX/ROD) for Boston Harbor Seaplane Operation, MA

AGENCY: Federal Aviation Administration, (FAA), DOT.

ACTION: Notice of availability.

SUMMARY: The FAA, Eastern Service Center is issuing this notice to advise the public of the availability of the Categorical Exclusion/Record of Decision (CATEX/ROD) for the Boston Harbor Seaplane Operation. The FAA reviewed the action and determined it to be categorically excluded from further environmental review.

FOR FURTHER INFORMATION CONTACT: Mr. Andrew Pieroni, Federal Aviation Administration, Operations Support Group, Eastern Service Center, 1701 Columbia Avenue, College Park, Georgia 30337, (404) 305–5586.

SUPPLEMENTARY INFORMATION: The Federal Aviation Administration (FAA) proposes to implement a Letter of Agreement (LOA) between Boston Airport Traffic Control Tower (BOS ATCT), Boston Consolidated Terminal Radar Approach Control (A90) and Hyannis Air Service Inc., (OBA Cape Air [KAP]) for seaplane operations in the Boston, Massachusetts Inner Harbor. This proposed LOA would ensure standardized, safe and de-conflicted seaplane operations in the Boston, Massachusetts Inner Harbor from BOS ATCT operations and allows for efficient airspace operations in the General Edward Lawrence Logan International Airport (BOS) Class B airspace. The proposed VFR handling of seaplane arrivals and departures will enhance safety and minimize delays for aircraft at BOS. The FAA reviewed the action and determined it to be categorically excluded from further environmental review according to FAA Order 1050.1F, Environmental Impacts: Policies and Procedures. The applicable categorical exclusion is § 5–6.S(i.).

Issued in College Park, Georgia, on October 24, 2018.

Ryan W. Almasy,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2018–24056 Filed 11–1–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of the Federal Aviation Administration Record of Decision and Adoption of the Final Environmental Impact Statement for Modernization and Enhancement of Ranges, Airspace, and Training Areas in the Joint Pacific Alaska Range Complex in Alaska, for the Fox 3 Military Operations Area (MOA) Expansion and Paxon/Delta 5 MOA Establishment and Night Joint Training, Extending MOA Times of Use for the United States Air Force

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of record of decision.

SUMMARY: The Federal Aviation Administration (FAA) announces its decision to adopt the United States Departments of the Army (Army) and Air Force's (USAF) Final Environmental Impact Statement (EIS) for the Modernization and Enhancement of Ranges, Airspace, and Training Areas in the Joint Pacific Alaska Range Complex (JPARC) in Alaska, EIS No. 20130181. In accordance with Section 102 of the National Environmental Policy Act of 1969 (''NEPA''), the Council on Environmental Quality's (''CEQ'') regulations implementing NEPA (40 CFR parts 1500–1508), and other applicable authorities, including The Federal Aviation Administration (FAA) Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 8–2, and FAA Order JO 7400.2K, ''Procedures for Handling Airspace Matters,'' paragraph 32–2–3, the FAA has conducted an independent review and evaluation of the Army and the USAF's Final EIS for Modernization and Enhancement of Ranges, Airspace, and Training Areas in the JPARC in Alaska, dated June 2013. As a cooperating agency with responsibility for approving special use airspace (SUA) under 49 U.S.C. 40103(b)(3)(A), the FAA provided subject matter expertise and coordinated with the USAF and Army during the environmental review process, including preparation of the Draft EIS and the Final EIS. Based on its independent review and evaluation, the FAA has determined the Final EIS, including its supporting documentation, as incorporated by reference, and other supporting documentation incorporated by reference for FAA's Written Re-Evaluation and Adoption of the Final EIS adequately assesses and discloses the environmental impacts of the for Modernization and Enhancement of Ranges, Airspace, and Training Areas in the JPARC in Alaska. FAA is authorized to adopt the Final EIS under 40 CFR 1506.3, Adoption. Accordingly, the FAA adopts the Final EIS, and takes full responsibility for the scope and content that addresses the proposed changes to SUA for JPARC.

FOR FURTHER INFORMATION CONTACT: Paula Miller, Airspace Policy and Regulations Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267–7378.

SUPPLEMENTARY INFORMATION:

Background

In March 2012, in accordance with NEPA and its implementing regulations, the USAF and Army released a Draft EIS. The Draft EIS presented the potential environmental consequences of the USAF and Army's proposal to modernize and enhance JPARC ranges by analyzing the military training activities at JPARC, Alaska. As a result of the FAA aeronautical review process, and public, agency, and tribal comments during the 111-day public comment period on the Draft EIS, the USAF, FAA, other federal and state agencies, and tribal governments have consulted to mitigate concerns while continuing to meet national defense training requirements. The USAF and Army are the proponents for the JPARC Modernization and were the lead agencies for the preparation of the Final EIS, which was issued in June 2013. The FAA is a cooperating agency responsible for approving SUA as defined in 40 CFR 1508.5.

The FAA has independently evaluated the JPARC Final EIS and the accompanying SUA proposals. FAA found that the USAF SUA proposals are ripe for a decision while the Army SUA proposals are currently still undergoing aeronautical processing and development. Therefore, the scope and extent of FAA's Record of Decision (ROD) is only for the USAF SUA proposals.

The USAF and Army issued one ROD. The ROD lists the Army and USAF actions and decisions separately. The ROD includes an Army Decision, signed July 30, 2013, and an USAF Decision signed August 6, 2013. The USAF selected the preferred alternatives for the Fox 3 MOA Expansion and New Paxon MOA, Realistic Live Ordnance Delivery (RLOD), and Night Joint Training (NJT). The Army/USAF ROD also lists mitigation measures by agency and specific action. The USAF has since decided they do not currently plan to implement RLOD, and they have not submitted an aeronautical proposal for the expansion of R–2202 necessary for RLOD.

Implementation

After evaluating the public comments received, the aeronautical studies, and the environmental analysis, the FAA is expanding the Fox 3 Military Operations Area (MOA), establishing the Paxon and Delta 5 MOAs, and extending the times of use of the existing JPARC MOAs for NJT.

FAA circularized the proposed actions from February 24, 2105 through May 10, 2015. After the conclusion of the circularization comment period and FAA's Aeronautical Study, the FAA changed the name of Paxon B MOA to Delta 5 MOA and deleted the Visual Flight Rules (VFR) Corridor in the interest of safety. The name change and the elimination of the VFR Corridor mitigation do not change the SUA request or the analysis done in the Final EIS and the Aeronautical Study. The modification did not change the area of analysis; therefore, the environmental and aeronautical analyses are still valid. The legal descriptions for the JPARC MOAs will be published in the National Flight Data Digest with a November 8, 2018 effective date. The August 29, 2018 Written Re-Evaluation/Adoption/ROD is available on the FAA website and can be viewed at *https://www.faa.gov/air_traffic/environmental_issues/.*

Right of Appeal

The Written Re-evaluation, Adoption, and ROD for the changes to the JPARC MOAs constitutes a final order of the FAA Administrator and is subject to exclusive judicial review under 49 U.S.C. 46110 by the U.S. Circuit Court of Appeals for the District of Columbia or the U.S. Circuit Court of Appeals for the circuit in which the person contesting the decision resides or has its principal place of business. Any party having substantial interest in this order may apply for review of the decision by filing a petition for review in the appropriate U.S. Court of Appeals no later than 60 days after the date of this notice in accordance with the provisions of 49 U.S.C. 46110.

Issued in Des Moines, WA on October 26, 2018.

Shawn Kozica,

Manager, Operations Support Group, Western Service Center, Air Traffic Organization.

[FR Doc. 2018–24050 Filed 11–1–18; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on the Hampton Roads Crossing Study in the Cities of Hampton and Norfolk, Virginia

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

ACTION: Notice of limitation on claims for judicial review of actions by FHWA.

SUMMARY: This notice announces actions taken by the FHWA that are final. The actions relate to the proposed widening of Interstate 64 to a consistent six-lane facility between Interstates 664 and 564 and the addition of a new bridge-tunnel parallel to the existing Interstate 64 Hampton Roads Bridge Tunnel. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(*l*)(1). A claim seeking judicial review of the Federal agency actions on the project will be barred unless the claim is filed on or before April 1, 2019. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For FHWA: Mr. Edward Sundra, Director of Program Development, FHWA Virginia Division, 400 North 8th Street, Richmond, Virginia 23219; telephone: (804) 775–3357; email: *Ed.Sundra@dot.gov.* The FHWA Virginia Division's normal business hours are 8:00 a.m. to 4:30 p.m. (Eastern Time). For the Virginia Department of Transportation: Scott Smizik, 1401 East Broad Street, Richmond, Virginia 23219; email: *Scott.Smizik@VDOT.Virginia.gov;* telephone: (804) 371–4082. The Virginia Department of Transportation's normal business hours are 7:00 a.m. to 4:00 p.m.

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has taken final agency actions subject to 23 U.S.C. 139(*l*)(1) by issuing licenses, permits, and approvals for the following project in the State of Virginia: Hampton Roads Crossing Study in the Cities of Hampton and Norfolk. The project involves the widening of Interstate 64 to a consistent six-lane facility between Interstates 664 and 564 and the addition of a new bridge-tunnel parallel to the existing Interstate 64 Hampton Roads Bridge Tunnel. The actions taken by FHWA, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI). The EA was signed on June 7, 2018. The FONSI was signed on October 23, 2018. The EA, FONSI and other supporting documentation can be viewed on the project's website at: *http://hamptonroadscrossingstudy.org/.* These documents and other project records are also available by contacting FHWA or the Virginia Department of Transportation at the phone numbers and addresses listed above.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. *General:* National Environmental Policy Act (NEPA) [42 U.S.C. 4321–4351]; Federal-Aid Highway Act (FAHA) [23 U.S.C. 109 and 23 U.S.C. 128].

2. *Air:* Clean Air Act [42 U.S.C. 7401–7671(q)].

3. *Land:* Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303 and 23 U.S.C. 138].

4. *Wildlife:* Endangered Species Act [16 U.SC. 1531–1544 and Section 1536].

5. *Historic and Cultural Resources:* Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(f) *et seq.*].

6. *Social and Economic:* Farmland Protection Policy Act (FPPA) [7 U.S.C. 4201–4209].

7. *Executive Orders:* E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C 139(*l*)(1).

Issued on: October 24, 2018.

Edward Sundra,

Director of Program Development, Richmond, VA.

[FR Doc. 2018–23820 Filed 11–1–18; 8:45 am]

BILLING CODE 4910–RY–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Form 13997

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. Currently, the IRS is soliciting comments concerning Form 13997, Validating Your TIN and Reasonable Cause.

DATES: Written comments should be received on or before January 2, 2019 to be assured of consideration.

ADDRESSES: Direct all written comments to Laurie Brimmer, Internal Revenue Service, Room 6529, 1111 Constitution Avenue NW, Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Charles G. Daniel at (202) 317–5754, at Internal Revenue Service, Room 6529, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at *Charles.G.Daniel@irs.gov.*

SUPPLEMENTARY INFORMATION:

Title: Validating Your TIN and Reasonable Cause.

OMB Number: 1545–2144.

Form Number: Form 13997.

Abstract: Under the provisions of Internal Revenue Code Section (IRC Sec.) 6039E, Information Concerning Resident Status, individuals are required to provide certain information (see IRC Sec. 6039E(b)) with their application for a U.S. passport or with their application for permanent U.S. residence. This form will be an attachment to Letter 4318 that is being drafted to inform the individual about the IRC provisions, the penalty, and to request them to complete this form and return it to the IRS.

Current Actions: There are no changes being made to the form at this time.

Type of Review: Extension of a previously approved collection.

Affected Public: Individuals or households.

Estimated Number of Respondents: 2,000.

Estimated Time per Respondent: 1 hour.

Estimated Total Annual Burden Hours: 2,000 hours.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Request for Comments: Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: October 29, 2018.

Laurie Brimmer,

Senior Tax Analyst.

[FR Doc. 2018–23949 Filed 11–1–18; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF VETERANS AFFAIRS

Notice of Intent To Grant an Exclusive License

AGENCY: U.S. Department of Veterans Affairs.

ACTION: Notice of intent.

SUMMARY: Notice is hereby given that the Department of Veterans Affairs (VA), Office of Research and Development, Technology Transfer Program, intends to grant to Medline Industries, Inc., Three Lakes Drive, Northfield, IL 60093, an exclusive license to U.S. Patent Nos. 8,905,421; 9,445,958; 9,795,522; 9,980,863 and related patent applications associated with VA Invention Disclosure number 12–314, titled, ''Manual Wheelchair System for Improved Propulsion and Transfer.''

DATES: Comments must be received by November 19, 2018.

ADDRESSES: Written comments may be submitted through *www.regulations.gov;* by mail or hand-delivery to the Director, Regulations Management (02REG), Department of Veterans Affairs, 810 Vermont Avenue NW, Room 1068, Washington, DC 20420; or by fax to (202) 273–9026 (this is a not toll-free number). Copies of comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1063B, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except Federal holidays). Call (202) 461–4902 for an appointment (this is not a toll-free number). In addition, during the comment period, comments may be viewed online through the Federal Docket Management System at *www.regulations.gov.*

ADDITIONAL CONTACT INFORMATION: Dr. Lee A. Sylvers, Technology Transfer Specialist, Office of Research and Development (10P9TT), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 443–5646 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: It is in the public interest to license this invention. Medline submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within 15 days from the date of this published Notice, the Department of Veterans Affairs, Office of Research and Development, Technology Transfer Program receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Robert L. Wilkie, Secretary, Department of Veterans Affairs, approved this document on October 29, 2018, for publication.

Approved: October 29, 2018.

Jeffrey M. Martin,

Assistant Director, Office of Regulation Policy & Management, Office of the Secretary, Department of Veterans Affairs.

[FR Doc. 2018–24036 Filed 11–1–18; 8:45 am]

BILLING CODE 8320–01–P

FEDERAL REGISTER

Vol. 83 Friday,

No. 213 November 2, 2018

Part II

The President

Notice of October 31, 2018—Continuation of the National Emergency With Respect to Sudan

Federal Register
Vol. 83, No. 213
Friday, November 2, 2018

Presidential Documents

Title 3—

The President

Notice of October 31, 2018

Continuation of the National Emergency With Respect to Sudan

On November 3, 1997, by Executive Order 13067, the President declared a national emergency with respect to Sudan pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) and took related steps to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the actions and policies of the Government of Sudan. On April 26, 2006, by Executive Order 13400, the President determined that the conflict in Sudan's Darfur region posed an unusual and extraordinary threat to the national security and foreign policy of the United States, expanded the scope of the national emergency declared in Executive Order 13067, and ordered the blocking of property of certain persons connected to the Darfur region. On October 13, 2006, by Executive Order 13412, the President took additional steps with respect to the national emergency declared in Executive Order 13067 and expanded in Executive Order 13400. In Executive Order 13412, the President also took steps to implement the Darfur Peace and Accountability Act of 2006 (Public Law 109–344).

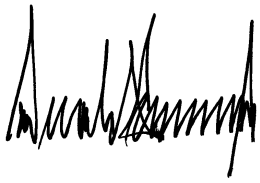
On January 13, 2017, by Executive Order 13761, the President found that positive efforts by the Government of Sudan between July 2016 and January 2017 improved certain conditions that Executive Orders 13067 and 13412 were intended to address. Given these developments, and in order to encourage the Government of Sudan to sustain and enhance these efforts, section 1 of Executive Order 13761 provided that sections 1 and 2 of Executive Order 13067 and the entirety of Executive Order 13412 would be revoked as of July 12, 2017, provided that the criteria in section 12(b) of Executive Order 13761 had been met.

On July 11, 2017, by Executive Order 13804, I amended Executive Order 13761, extending until October 12, 2017, the effective date in section 1 of Executive Order 13761. On October 12, 2017, pursuant to Executive Order 13761, as amended by Executive Order 13804, sections 1 and 2 of Executive Order 13067 and the entirety of Executive Order 13412 were revoked.

Despite recent positive developments, the crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in Executive Order 13067 of November 3, 1997; the expansion of that emergency in Executive Order 13400 of April 26, 2006; and with respect to which additional steps were taken in Executive Order 13412 of October 13, 2006, Executive Order 13761 of January 13, 2017, and Executive Order 13804 of July 11, 2017, has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. I have,

therefore, determined that it is necessary to continue the national emergency declared in Executive Order 13067, as expanded by Executive Order 13400, with respect to Sudan.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
October 31, 2018.

[FR Doc. 2018–24244
Filed 11–1–18; 11:15 am]
Billing code 3295–F9–P

FEDERAL REGISTER

Vol. 83 Friday,

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Part III

The President

Executive Order 13850—Blocking Property of Additional Persons Contributing to the Situation in Venezuela

Federal Register
Vol. 83, No. 213
Friday, November 2, 2018

Presidential Documents

Title 3—

The President

Executive Order 13850 of November 1, 2018

Blocking Property of Additional Persons Contributing to the Situation in Venezuela

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)) (INA), the Venezuela Defense of Human Rights and Civil Society Act of 2014 (Public Law 113–278), as amended (the Venezuelan Defense of Human Rights Act), and section 301 of title 3, United States Code,

I, DONALD J. TRUMP, President of the United States of America, in order to take additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, and relied upon for additional steps taken in Executive Order 13808 of August 24, 2017, Executive Order 13827 of March 19, 2018, and Executive Order 13835 of May 21, 2018, particularly in light of actions by the Maduro regime and associated persons to plunder Venezuela's wealth for their own corrupt purposes, degrade Venezuela's infrastructure and natural environment through economic mismanagement and confiscatory mining and industrial practices, and catalyze a regional migration crisis by neglecting the basic needs of the Venezuelan people, hereby order as follows:

Section 1. (a) All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in: any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to operate in the gold sector of the Venezuelan economy or in any other sector of the Venezuelan economy as may be determined by the Secretary of the Treasury, in consultation with the Secretary of State;

(ii) to be responsible for or complicit in, or to have directly or indirectly engaged in, any transaction or series of transactions involving deceptive practices or corruption and the Government of Venezuela or projects or programs administered by the Government of Venezuela, or to be an immediate adult family member of such a person;

(iii) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity or transaction described in subsection (a)(ii) of this section, or any person whose property and interests in property are blocked pursuant to this order; or

(iv) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this order.

(b) The prohibitions in subsection (a) of this section apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the date of this order.

Sec. 2. The unrestricted immigrant and nonimmigrant entry into the United States of aliens determined to meet one or more of the criteria in subsection 1(a) of this order would be detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is therefore hereby suspended. Such persons shall be treated as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

Sec. 3. I hereby determine that the making of donations of the type of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)(2)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to section 1 of this order would seriously impair my ability to deal with the national emergency declared in Executive Order 13692, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 4. The prohibitions in section 1 of this order include:

(a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and

(b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 5. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 6. For the purposes of this order:

(a) the term ''person'' means an individual or entity;

(b) the term ''entity'' means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(c) the term ''United States person'' means any United States citizen, lawful permanent resident, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States;

(d) the term ''Government of Venezuela'' means the Government of Venezuela, any political subdivision, agency, or instrumentality thereof, including the Central Bank of Venezuela, and any person owned or controlled by, or acting for or on behalf of, the Government of Venezuela.

Sec. 7. For those persons whose property and interests in property are blocked pursuant to this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds or other assets instantaneously, prior notice to such persons or to the Government of Venezuela of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in Executive Order 13692, there need be no prior notice of a listing or determination made pursuant to section 1 of this order.

Sec. 8. The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including promulgating rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to implement this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All agencies of the United States Government shall take all appropriate measures within their authority to carry out the provisions of this order.

Sec. 9. The Secretary of State is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, the INA, and section 5 of the

Venezuela Defense of Human Rights Act, including the authorities set forth in sections 5(b)(1)(B), 5(c), and 5(d) of that Act, as may be necessary to carry out section 2 of this order and the relevant provisions of section 5 of that Act. The Secretary of State may, consistent with applicable law, redelegate any of these functions within the Department of State.

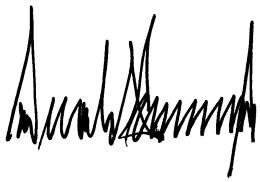
Sec. 10. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



THE WHITE HOUSE,
November 1, 2018.

[FR Doc. 2018–24254
Filed 11–1–18; 2:00 pm]
Billing code 3295–F9–P

Reader Aids

Federal Register

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FEDERAL REGISTER PAGES AND DATE, NOVEMBER

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CFR PARTS AFFECTED DURING NOVEMBER

At the end of each month the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR

Executive Orders:
13850 55243
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