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Notice of March 5, 2019

The President

Continuation of the National Emergency With Respect to Venezuela

On March 8, 2015, the President issued Executive Order 13692, declaring a national emergency with respect to the situation in Venezuela based on the Government of Venezuela's erosion of human rights guarantees; persecution of political opponents; curtailment of press freedoms; use of violence and human rights violations and abuses in response to antigovernment protests; and arbitrary arrest and detention of antigovernment protestors, as well as the exacerbating presence of significant government corruption.

On August 24, 2017, I issued Executive Order 13808 to take additional steps, with respect to the national emergency declared in Executive Order 13692, to address serious abuses of human rights and fundamental freedoms; the deepening humanitarian crisis in Venezuela; the establishment of an illegitimate Constituent Assembly, which usurped the power of the democratically elected National Assembly and other branches of the Government of Venezuela; rampant public corruption; and ongoing repression and persecution of, and violence toward, the political opposition.

On March 19, 2018, I issued Executive Order 13827 to take additional steps, with respect to the national emergency declared in Executive Order 13692, to address actions taken by the Maduro regime to attempt to circumvent United States sanctions by issuing a digital currency in a process that Venezuela's democratically elected National Assembly denounced as unlawful.

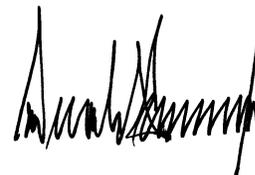
On May 21, 2018, I issued Executive Order 13835 to take additional steps, with respect to the national emergency declared in Executive Order 13692, to address actions of the Maduro regime, including endemic economic mismanagement and public corruption at the expense of the Venezuelan people and their prosperity, and repression of the political opposition; attempts to undermine democratic order by holding snap elections that were neither free nor fair; and the deepening of the humanitarian and public health crisis in Venezuela.

On November 1, 2018, I issued Executive Order 13850 to take additional steps, with respect to the national emergency declared in Executive Order 13692, to address 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 Venezuela people.

On January 25, 2019, I issued Executive Order 13857 to take additional steps, with respect to the national emergency declared in Executive Order 13692, to address actions by persons affiliated with the illegitimate Maduro regime, including human rights violations and abuses in response to anti-Maduro protests; arbitrary arrest and detention of anti-Maduro protestors; curtailment of press freedom; harassment of political opponents; and continued attempts to undermine the Interim President of Venezuela and undermine the National Assembly, the only legitimate branch of government duly elected by the Venezuelan people, and to prevent the Interim President and the National Assembly from exercising legitimate authority in Venezuela.

The circumstances described in Executive Order 13692, and subsequent Executive Orders issued with respect to Venezuela, have not improved and they continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency declared in Executive Order 13692.

This notice shall be published in the *Federal Register* and transmitted to the Congress.



THE WHITE HOUSE,
March 5, 2019.

Rules and Regulations

Federal Register

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

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DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Parts 210 and 235

[FNS-2017-0039]

RIN 0584-AE60

Hiring Flexibility Under Professional Standards; Correction

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final rule published in the **Federal Register** on March 1, 2019, "Hiring Flexibility Under Professional Standards."

DATES: This correction is effective April 30, 2019.

FOR FURTHER INFORMATION CONTACT: Tina Namian, Chief, School Programs Branch, Policy and Program Development Division, Food and Nutrition Service, 3101 Park Center Drive, 12th floor, Alexandria, Virginia 22302; 703-305-2590.

SUPPLEMENTARY INFORMATION: The Food and Nutrition Service published a final rule in the **Federal Register**, 84 FR 6953, on March 1, 2019, to add four flexibilities to the hiring standards for new school nutrition program directors in small local educational agencies (LEAs) and new State directors of school nutrition programs under the Professional Standards regulations for the National School Lunch Program and School Breakfast Program. First, to address hiring challenges faced by small LEAs, which are those with 2,499 or fewer students, this rule requires relevant food service experience rather than school nutrition program experience for new school nutrition program directors. Second, it provides State agencies with discretion to consider documented volunteer or unpaid work as relevant experience for new school nutrition program directors in LEAs with 2,499 or fewer students. Third, it gives State agencies discretion

to accept less than the required years of food service experience when an applicant for a new director position in an LEA with fewer than 500 students has the minimum required education. Lastly, this rule adds flexibility to the hiring standards for State directors of school nutrition programs by allowing State agencies to consider applicants with either a bachelor's or advanced degree in specified fields. These changes are expected to expand the pool of candidates qualified to serve as leaders in the school nutrition programs while continuing to ensure that school nutrition professionals are able to perform their duties effectively and efficiently.

Need for Correction

The table in § 230.30, paragraph (b)(2), omitted a change to the standards. This document corrects those errors.

Therefore, in FR Doc. No. 2019-03524, appearing on page 6953 in the issue of March 1, 2019, make the following correction;

§ 210.30 [Corrected]

- 1. On page 6960, correct the table in § 210.30(b)(2) to read as follows:

SUMMARY OF SCHOOL NUTRITION PROGRAM DIRECTOR PROFESSIONAL STANDARDS BY LOCAL EDUCATIONAL AGENCY SIZE

Minimum requirements for directors	Student enrollment 2,499 or less	Student enrollment 2,500-9,999	Student enrollment 10,000 or more
Minimum Education Standards (required) (<i>new directors only</i>).	Bachelor's degree, or equivalent educational experience, with academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field; OR Bachelor's degree, or equivalent educational experience, with any academic major or area of concentration, <i>and</i> either a State-recognized certificate for school nutrition directors or at least 1 year of relevant food service experience;	Bachelor's degree, or equivalent educational experience, with academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field; OR Bachelor's degree, or equivalent educational experience, with any academic major or area of concentration, <i>and</i> a State-recognized certificate for school nutrition directors;	Bachelor's degree, or equivalent educational experience, with academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field; OR Bachelor's degree, or equivalent educational experience, with any academic major or area of concentration, <i>and</i> a State-recognized certificate for school nutrition directors;
	OR	OR	OR

SUMMARY OF SCHOOL NUTRITION PROGRAM DIRECTOR PROFESSIONAL STANDARDS BY LOCAL EDUCATIONAL AGENCY SIZE—Continued

Minimum requirements for directors	Student enrollment 2,499 or less	Student enrollment 2,500–9,999	Student enrollment 10,000 or more
Minimum Education Standards (preferred) (<i>new directors only</i>).	Associate's degree, or equivalent educational experience, with academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field, <i>and</i> at least 1 year of relevant food service experience; OR High school diploma (or GED) <i>and</i> 3 years of relevant food service experience.	Bachelor's degree in any academic major <i>and</i> at least 2 years of relevant school nutrition program experience; OR Associate's degree, or equivalent educational experience, with academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field, <i>and</i> at least 2 years of relevant school nutrition program experience.	Bachelor's degree in any major <i>and</i> at least 5 years of experience in management of school nutrition programs.
	Directors hired without an associate's degree are strongly encouraged to work toward attaining an associate's degree upon hiring	Directors hired without a bachelor's degree are strongly encouraged to work toward attaining a bachelor's degree upon hiring	Master's degree, or willingness to work toward a master's degree, preferred. At least 1 year of management experience, preferably in school nutrition, is strongly recommended. At least 3 credit hours at the university level in food service management plus at least 3 credit hours in nutritional sciences at time of hiring is strongly preferred.
Minimum Prior Training Standards (required) (<i>new directors only</i>).	At least 8 hours of food safety training is required either not more than 5 years prior to their starting date or completed within 30 calendar days of employee's starting date		

Dated: March 1, 2019.

Brandon Lipps,
Administrator, Food and Nutrition Service.
[FR Doc. 2019-04073 Filed 3-6-19; 8:45 am]

BILLING CODE 3410-30-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA-2017-0240; Special Conditions No. 25-691A-SC]

Special Conditions: Gulfstream Aerospace Corporation Model GVII-G500 Airplanes; Airbag Systems on Multiple-Place and Single-Place Side-Facing Seats

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions.

SUMMARY: These special conditions are issued for the Gulfstream Aerospace Corporation (Gulfstream) Model GVII-G500 airplane. This amendment changes an error in a reference to a special conditions number and adds one special condition. This airplane will

have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport-category airplanes. This design feature is airbag systems on multiple-place and single-place side-facing seats. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Effective March 7, 2019.

FOR FURTHER INFORMATION CONTACT: Alan Sinclair, Airframe and Cabin Safety Section, AIR-675, Transport Standards Branch, Policy and Innovation Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, Washington 98198; telephone and fax 206-231-3215.

SUPPLEMENTARY INFORMATION:

Background

On March 29, 2012, Gulfstream Aerospace Corporation applied for a

type certificate for its new Model GVII-G500 airplane. The Model GVII-G500 airplane will be a twin-engine, transport-category, business jet capable of accommodating up to 19 passengers. The Model GVII-G500 airplane will have a maximum takeoff weight of 76,850 lbs.

The FAA issued, on June 8, 2017, “final special conditions, request for comments” for airbag systems on multiple-place and single-place side-facing seats installed in Gulfstream Model GVII-G500 airplanes. The special conditions were published in the **Federal Register** on June 19, 2017 (82 FR 27771). These final special conditions amend those published on June 19, 2017 (82 FR 27771).

Type Certification Basis

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.17, Gulfstream must show that the Model GVII-G500 airplane meets the applicable provisions of 14 CFR part 25, as amended by amendments 25-1 through 25-129.

If the Administrator finds that the applicable airworthiness regulations (*i.e.*, part 25) do not contain adequate or appropriate safety standards for the

Model GVII-G500 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same or similar novel or unusual design feature, the special conditions would also apply to the other model under § 21.101.

In addition to the applicable airworthiness regulations and special conditions, Model GVII-G500 airplanes must comply with the fuel-vent and exhaust-emission requirements of 14 CFR part 34, and the noise-certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, in accordance with § 11.38, and they become part of the type certification basis under § 21.17(a)(2).

Novel or Unusual Design Features

The Model GVII-G500 airplane will incorporate the following novel or unusual design feature:

Airbag systems on multiple-place and single-place side-facing seats.

Discussion

Side facing seats are considered a novel design for transport-category airplanes that include 14 CFR part 25, amendment 25-64, in their certification bases because this feature was not anticipated when those airworthiness standards were issued. Therefore, the existing regulations do not provide adequate or appropriate safety standards for occupants of side-facing seats. For the Model GVII-G500 airplane, FAA Special Conditions No. 25-618-SC, "Technical Criteria for Approving Side-Facing Seats," provide special conditions to address the certification of single- and multiple-place side-facing seats. Those special conditions include condition number 2(e), which requires the axial rotation of the upper leg (femur) to be limited to 35 degrees in either direction from the nominal seat position. To accommodate that requirement, Gulfstream has developed a new airbag system that will be installed close to the floor, and which is designed to limit the axial rotation of the occupant's upper legs.

This amendment changes, in the second paragraph of the Special Conditions section, an erroneous reference to Special Conditions No. 25-495-SC, which is here corrected to 25-618-SC, and adds condition number 14 to the Special Conditions section. Condition number 14 was

unintentionally omitted from the previous issuance of these special conditions.

These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

Discussion of Comments

The FAA issued Notice of Proposed Special Conditions No. 25-18-04-SC for the Gulfstream Model GVII-G500 airplane, which was published in the **Federal Register** on October 22, 2018 (83 FR 53193). No comments were received, and the special conditions are adopted as proposed.

Applicability

As discussed above, these special conditions are applicable to the Gulfstream Model GVII-G500 airplane. Should Gulfstream apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, these special conditions would apply to that model as well.

Under standard practice, the effective date of final special conditions would be 30 days after the date of publication in the **Federal Register**. However, as this document is an amendment to the initial special conditions, and the Gulfstream Model GVII-G500 airplane was type certificated July 20, 2018, the FAA finds that good cause exists to make these special conditions effective upon publication.

Conclusion

This action affects only certain novel or unusual design features on one model of airplane. It is not a rule of general applicability.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

Authority Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for Gulfstream Aerospace Corporation Model GVII-G500 airplanes.

In addition to the requirements of §§ 25.562 and 25.785, and Special Conditions No. 25-618-SC, the

following special conditions are part of the type certification basis for the Gulfstream Model GVII-G500 airplane with leg-flail airbags installed on side-facing seats.

1. For seats with a leg-flail airbag system, the system must deploy and provide protection under crash conditions where it is necessary to prevent serious injury. The means of protection must take into consideration a range of stature from a 2-year-old child to a 95th-percentile male. At some buttock popliteal length and effective seat-bottom depth, the lower legs will not be able to form a 90-degree angle relative to the upper leg; at this point, the lower leg flail would not occur. The leg-flail airbag system must provide a consistent approach to prevention of leg flail throughout that range of occupants whose lower legs can form a 90-degree angle relative to the upper legs when seated upright in the seat. Items that need to be considered include, but are not limited to, the range of occupants' popliteal height, the range of occupants' buttock popliteal length, the design of the seat effective height above the floor, and the effective depth of the seat-bottom cushion.

2. The leg-flail airbag system must provide adequate protection for each occupant regardless of the number of occupants of the seat assembly, considering that unoccupied seats may have an active leg-flail airbag system.

3. The leg-flail airbag system must not be susceptible to inadvertent deployment as a result of wear and tear, or inertial loads resulting from in-flight or ground maneuvers (including gusts and hard landings), and other operating and environmental conditions (vibrations, moisture, etc.) likely to occur in service.

4. Deployment of the leg-flail airbag system must not introduce injury mechanisms to the seated occupant, nor result in injuries that could impede rapid egress.

5. Inadvertent deployment of the leg-flail airbag system, during the most critical part of the flight, must either meet the requirement of § 25.1309(b), or not cause a hazard to the airplane or its occupants.

6. The leg-flail airbag system must not impede rapid egress of occupants from the airplane 10 seconds after airbag deployment.

7. The leg-flail airbag system must be protected from lightning and high-intensity radiated fields (HIRF). The threats to the airplane specified in existing regulations regarding lightning (§ 25.1316) and HIRF (§ 25.1317) are incorporated by reference for the

purpose of measuring lightning and HIRF protection.

8. The leg-flail airbag system must function properly after loss of normal airplane electrical power, and after a transverse separation of the fuselage at the most critical location. A separation at the location of the leg-flail airbag system does not have to be considered.

9. The leg-flail airbag system must not release hazardous quantities of gas or particulate matter into the cabin.

10. The leg-flail airbag system installation must be protected from the effects of fire such that no hazard to occupants will result.

11. A means must be available to verify the integrity of the leg-flail airbag system's activation system prior to each flight, or the leg-flail airbag system's activation system must reliably operate between inspection intervals. The FAA considers that the loss of the leg-flail airbag system's deployment function alone (*i.e.*, independent of the conditional event that requires the leg-flail airbag system's deployment) is a major-failure condition.

12. The airbag inflatable material may not have an average burn rate of greater than 2.5 inches per minute when tested using the horizontal flammability test defined in part 25, appendix F, part I, paragraph (b)(5).

13. The leg-flail airbag system, once deployed, must not adversely affect the emergency-lighting system (*i.e.*, must not block floor-proximity lights to the extent that the lights no longer meet their intended function).

14. The leg-flail system(s) must perform its intended function after impact from any other proximate assemblies (*e.g.*, life raft) that may become detached under the loads specified in §§ 25.561 and 25.562.

Issued in Des Moines, Washington, on February 28, 2019.

Victor Wicklund,

Manager, Transport Standards Branch, Policy and Innovation Division, Aircraft Certification Service.

[FR Doc. 2019-04072 Filed 3-6-19; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2018-0694; Product Identifier 2016-SW-068-AD; Amendment 39-19564; AD 2019-03-12]

RIN 2120-AA64

Airworthiness Directives; Airbus Helicopters

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for Airbus Helicopters Model EC225LP helicopters. This AD requires repetitive inspections of each life raft inflation cylinder percussion system bellcrank (bellcrank). This AD was prompted by reports of jammed bellcranks. The actions of this AD are intended to prevent an unsafe condition on these products.

DATES: This AD is effective April 11, 2019.

ADDRESSES: For service information identified in this final rule contact Airbus Helicopters, 2701 N. Forum Drive, Grand Prairie, TX 75052; telephone (972) 641-0000 or (800) 232-0323; fax (972) 641-3775; or at http://www.helicopters.airbus.com/website/en/ref/Technical-Support_73.html. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177.

Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-0694; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the European Aviation Safety Agency (EASA) AD, the economic evaluation, any comments received, and other information. The street address for Docket Operations (phone: 800-647-5527) is U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: David Hatfield, Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX

76177; telephone (817) 222-5110; email david.hatfield@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

On August 9, 2018, at 83 FR 39382, the **Federal Register** published our notice of proposed rulemaking (NPRM), which proposed to amend 14 CFR part 39 by adding an AD that would apply to Airbus Helicopters Model EC225 LP helicopters with a life raft installed. The NPRM proposed to require, before further flight and thereafter at intervals not exceeding 6 months, cleaning and lubricating each bellcrank and pivot link. The proposed requirements were intended to prevent a jammed bellcrank which could result in failure of a life raft to release in an emergency and subsequent injury to occupants.

The NPRM was prompted by EASA AD No. 2016-0200, dated October 11, 2016 (EASA AD 2016-0200), issued by EASA, which is the Technical Agent for the Member States of the European Union, to correct an unsafe condition for Airbus Helicopters Model EC 225 LP helicopters. EASA advises of a report of the left-hand and right-hand bellcranks becoming jammed. EASA states an investigation determined the bellcranks were jammed by the accumulation of a foreign coating material in the bellcrank hole. EASA further states that investigation of an additional incident of a jammed bellcrank determined that corrosion in the bellcrank hole caused the jam. This condition, according to EASA, could result in failure of the life rafts to release in an emergency and subsequent injury to occupants during an otherwise survivable accident. To address this unsafe condition, EASA AD 2016-0200 requires repetitive cleaning and lubrication of each bellcrank and pivot link.

Comments

We gave the public the opportunity to participate in developing this AD, but we did not receive any comments on the NPRM.

FAA's Determination

These helicopters have been approved by the aviation authority of France and are approved for operation in the United States. Pursuant to our bilateral agreement with France, EASA, its technical representative, has notified us of the unsafe condition described in its AD. We are issuing this AD because we evaluated all information provided by EASA and determined the unsafe condition exists and is likely to exist or develop on other helicopters of the same type design and that air safety and the

public interest require adopting the AD requirements as proposed.

Related Service Information

We reviewed Airbus Helicopters Emergency Alert Service Bulletin No. 05A050, Revision 0, dated July 22, 2016, which contains procedures for cleaning and lubricating each bellcrank and pivot link of the life raft inflation cylinder percussion system and removing any corrosion if necessary.

Costs of Compliance

We estimate that This AD affects 5 helicopters of U.S. Registry.

At an average labor rate of \$85 per work-hour, we estimate that operators may incur the following costs in order to comply with this AD. Cleaning and lubricating both bellcranks and pivot links requires about 16 work-hours, and required materials costs are minimal, for a cost of \$1,360 per helicopter and \$6,800 for the U.S. fleet per inspection cycle.

Authority for This Rulemaking

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

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

Regulatory Findings

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

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866;
- (2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);

(3) Will not affect intrastate aviation in Alaska to the extent that it justifies making a regulatory distinction; and

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2019-03-12 Airbus Helicopters:

Amendment 39-19564; Docket No. FAA-2018-0694; Product Identifier 2016-SW-068-AD.

(a) Applicability

This AD applies Airbus Helicopters Model EC225 LP helicopters with a life raft installed, certificated in any category.

(b) Unsafe Condition

This AD defines the unsafe condition as a jammed bellcrank in a life raft jettison inflation cylinder percussion system (bellcrank). This condition could result in failure of a life raft to release in an emergency and subsequent injury to occupants.

(c) Effective Date

This AD becomes effective April 11, 2019.

(d) Compliance

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

(e) Required Actions

Before further flight, and thereafter at intervals not to exceed 6 months:

- (1) Clean each bellcrank and pivot link and inspect each bellcrank hole for corrosion. If there is any corrosion in a bellcrank hole:
 - (i) Remove the corrosion without exceeding a maximum depth of 0.1 millimeter (0.004 inch).
 - (ii) Clean each pivot link using 400-grain abrasive paper.
 - (iii) Apply corrosion protectant (Alodine 1200 or equivalent) to each bellcrank hole.

(2) Lubricate each bellcrank hole with grease before assembling the bellcrank.

(f) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Safety Management Section, Rotorcraft Standards Branch, FAA, may approve AMOCs for this AD. Send your proposal to David Hatfield, Aviation Safety Engineer, Safety Management Section, Rotorcraft Standards Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone (817) 222-5110; email 9-ASW-FTW-AMOC-Requests@faa.gov.

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

(g) Additional Information

(1) Airbus Helicopters Emergency Alert Service Bulletin No. 05A050, Revision 0, dated July 22, 2016, which is not incorporated by reference, contains additional information about the subject of this AD. For service information identified in this AD, contact Airbus Helicopters, 2701 N Forum Drive, Grand Prairie, TX 75052; telephone (972) 641-0000 or (800) 232-0323; fax (972) 641-3775; or at http://www.helicopters.airbus.com/website/en/ref/Technical-Support_73.html. You may review the referenced service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177.

(2) The subject of this AD is addressed in European Aviation Safety Agency (EASA) AD No. 2016-0200, dated October 11, 2016. You may view the EASA AD on the internet at <http://www.regulations.gov> in Docket No. FAA-2018-0694.

(h) Subject

Joint Aircraft Service Component (JASC) Code: 2564 Life Raft.

Issued in Fort Worth, Texas, on February 15, 2019.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2019-04024 Filed 3-6-19; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 73

[Docket No. FAA-2018-1080; Airspace Docket No. 18-AGL-26]

RIN 2120-AA66

Amendment of Restricted Areas R-5502A and R-5502B; Lacarne, OH

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; technical amendment; correction.

SUMMARY: This action corrects a final rule technical amendment published in the **Federal Register** of February 12, 2019, that amends the using agency for restricted areas R-5502A and R-5502B, amends the controlling agency information for R-5502A, and adds exclusion language to the R-5502B boundaries information. This action corrects a typographical error listed in the effective date of that rule.

DATES: Effective date: 0901 UTC April 25, 2019.

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

SUPPLEMENTARY INFORMATION:

History

The FAA published a final rule; technical amendment in the **Federal Register** (84 FR 3299; February 12, 2019) for Docket No. FAA-2018-1080 amending restricted areas R-5502A and R-5502B; Lacarne, OH. Subsequent to publication, the FAA identified a typographical error for the date listed in the effective date; the correct effective date is April 25, 2019. This action corrects that error.

Correction to Final Rule; Technical Amendment

Accordingly, pursuant to the authority delegated to me, Amendment of Restricted Areas R-5502A and R-5502B; Lacarne, OH, published in the **Federal Register** of February 12, 2019 (84 FR 3299), FR Doc. 2019-02065, is corrected as follows:

On page 3300, column 1, lines 4 and 5, remove the text “April 24, 2019” and add in its place “April 25, 2019.”

Issued in Washington, DC, on February 28, 2019.

Rodger A. Dean Jr.,

Manager, Airspace Policy Group.

[FR Doc. 2019-04156 Filed 3-6-19; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2019-0050]

RIN 1625-AA00

Safety Zone; Firestone Grand Prix of St. Petersburg, St. Petersburg, Florida

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the navigable waters of Tampa Bay, in the vicinity of the St. Petersburg Municipal Yacht Basin, St. Petersburg, Florida during the Firestone Grand Prix of St. Petersburg. The temporary safety zone is needed to protect the safety of race participants, spectators, and vessels on the surrounding waterway during the race. Persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port St. Petersburg or a designated representative.

DATES: This rule is effective daily from 6 a.m. until 10 p.m. on March 8, 2019, through March 10, 2019.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2019-0050 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 Marine Science Technician First Class Michael Shackelford, Sector St. Petersburg Prevention Department, Coast Guard; telephone (813) 228-2191, email Michael.D.Shackelford@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, Purpose, and Regulatory History

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule

without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable. The Coast Guard received information regarding the need for a safety zone on January 14, 2019. Insufficient time remains to publish a NPRM and to receive public comments, as the event will occur before the rulemaking process would be completed. Because of the potential safety hazards associated with the race, the regulations is necessary to provide for the safety of race participants, spectators, and other vessels navigating the surrounding waterways. For those reasons, it would be impracticable to publish an NPRM.

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**. For the reasons discussed above, the Coast Guard finds that good cause exists.

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 St. Petersburg has determined that potential hazards associated with the race, will be a safety concern for race participants, spectators, and vessels. This rule is needed to ensure the safety of life for vessels and persons within the navigable waters of the safety zone during the Firestone Grand Prix of St. Petersburg, Florida.

IV. Discussion of the Rule

This rule establishes a safety zone from 6 a.m. on March 8, 2019 through 10 p.m. on March 10, 2019. The safety zone will cover all navigable waters within a specified area of Tampa Bay, St. Petersburg. The duration of the zone is intended to ensure the safety of the public and these navigable waters during the race event. No vessel or person will be permitted to enter, transit through, anchor in, or remain within the safety zone without obtaining permission from the Captain of the Port St. Petersburg or a designated representative.

Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the regulated area by contacting the Captain of the Port St. Petersburg by telephone at (727) 824-7506, or a designated representative via VHF radio on channel 16. If authorization to enter, transit

through, anchor in, or remain within the regulated area is granted by the Captain of the Port St. Petersburg or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port St. Petersburg or a designated representative. The Coast Guard will provide notice of the safety zone by Local Notice to Mariners, Broadcast Notice to Mariners, and/or on-scene designated representatives.

IV. 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: (1) The safety zone will be enforced for a limited period of time over the course of three days during the Firestone Grand Prix of St. Petersburg, Florida race events; (2) although persons and vessels are prohibited to enter, transit through, anchor in, or remain within the regulated area without authorization from the Captain of the Port St. Petersburg or a designated representative, they may operate in the surrounding area during the enforcement period; and (3) the Coast Guard will provide advance notification of the safety zone to the local maritime community by Local Notice to Mariners and/or Broadcast Notice to Mariners.

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 would not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the 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 would 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 that will prohibit persons and vessels from entering, transiting through, anchoring in, or remaining within the regulated area during a three day high speed grand prix race event. 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 protestors. 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.T07–0050 to read as follows:

§ 165.T07–0050 Safety Zone; Firestone Grand Prix of St. Petersburg, St. Petersburg, FL.

(a) *Regulated area.* The following area is established as a safety zone. All waters of the Gulf of Mexico encompassed within the following points: 27°46'18" N, 082°37'55.2" W, thence to position 27°46'18" N, 082°37'54.6" W, thence to position 27°46'9.6" N, 082°37'54.6" W, thence to position 27°46'9.6" N, 082°37'33" W, thence to position 27°46'4.2" N, 082°37'33" W, thence to position 27°45'59.4" N, 082°37'50.4" W, thence to position 27°46'6.6" N, 082°37'56.4" W, thence to position 27°46'13.8" N, 082°37'55.8" W, thence back to the original position 27°46'18" N, 082°37'55.2" W. All coordinates are North American Datum 1983.

(b) *Definition.* The term “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port St. Petersburg in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the Captain of the Port St. Petersburg or a designated representative.

(2) Designated representatives may control vessel traffic throughout the enforcement area as determined by the prevailing conditions.

(3) Persons and vessels may request authorization to enter, transit through, anchor in, or remain within the regulated areas by contacting the Captain of the Port St. Petersburg by telephone at (727) 824–7506, or a designated representative via VHF radio on channel 16.

If authorization is granted by the Captain of the Port St. Petersburg or a

designated representative, all persons and vessels receiving such authorization must comply with the instructions of the Captain of the Port St. Petersburg or a designated representative.

(d) *Enforcement period.* This rule will be enforced daily from 6 a.m. until 10 p.m. on March 8, 2019, through March 10, 2019.

Dated: March 4, 2019.

H.L. Najarian,

Captain, U.S. Coast Guard, Captain of the Port St. Petersburg.

[FR Doc. 2019–04136 Filed 3–6–19; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 17

RIN 2900–AP94

Fertility Counseling and Treatment for Certain Veterans and Spouses

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) adopts as final, with changes based on subsequent changes to our statutory authority, an interim final rule adding a new section to the medical regulations authorizing in vitro fertilization (IVF) for a veteran with a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment. In addition, the rule added a new section stating that VA may provide fertility counseling and treatment using assisted reproductive technologies (ART), including IVF, to a spouse of a veteran with a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment. As a result of this rulemaking, VA may provide both a covered veteran and spouse of a covered veteran all ART treatments available to enrolled veterans under the medical benefits package, as well as IVF. The interim final rule was effective on the date of publication. We provided a 60-day comment period, and received 13 comments from the public, all of which were supportive of this rulemaking. However, the commenters raised several issues that we address here. Following publication of the interim final rule, a statute was enacted that made several substantive changes to VA’s authority to provide ART and IVF to covered veterans and spouses. This final rule reflects those changes.

DATES: *Effective Date:* This rule is effective on March 7, 2019.

FOR FURTHER INFORMATION CONTACT:

Patricia M. Hayes, Ph.D. Chief Consultant, Women’s Health Services, Patient Care Services, Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Ave. NW, Washington, DC 20420. *Patricia.hayes@va.gov* (202) 461–0373. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

On January 19, 2017, VA published an interim final rule regarding fertility counseling and treatment available to certain veterans and spouses. 82 FR 6275. This interim final rulemaking added a new § 17.380 to VA’s medical regulations authorizing in vitro fertilization (IVF) for a veteran with a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment. As explained in the preamble to the interim final rulemaking, IVF is expressly excluded from the medical benefits package at 38 CFR 17.38(c)(2), but to help clarify the full scope of fertility treatment benefits available to veterans through VA, the rulemaking added a Note to § 17.38(c)(2) to reference § 17.380 of the same title. 82 FR at 6275. Section 17.380 is regulatory authority independent of the medical benefits package that permits VA to use the “Medical Services” appropriation account to provide IVF to certain veterans, as originally authorized by section 260 of the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act (Pub. L. 114–223) (the “2017 Act”). In addition, consistent with the 2017 Act, we added a new § 17.412 stating that VA may provide fertility counseling and treatment using assisted reproductive technologies (ART) to a spouse of a covered veteran to the extent such services are consistent with the services available to enrolled veterans under the medical benefits package, as well as IVF to the spouse of a covered veteran, subject to certain limitations.

On February 21, 2017, VA published a correction to the interim final rulemaking regarding the new regulations’ expiration date. 82 FR 11152. In particular, we corrected both sections to reflect that authority to provide health care services under these sections would expire on September 30, 2018.

While the above-referenced 2017 Act was the original authority for VA’s IVF program, it lapsed once the relevant funding period ended. VA’s authority to use Medical Services Funds to provide

IVF services to the same cohort described in the 2017 Act was subsequently renewed and extended in similar form in section 236 of Division J, Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018, Public Law 115–141 (March 23, 2018) (the “2018 Act”). Under this recent provision, VA’s IVF authority is subject to the funding period covered by the 2018 Act, and the availability of appropriations, but notably the 2018 Act includes two changes to the IVF authority as established under the 2017 Act.

As with the 2017 Act, the 2018 Act continues to require VA to deliver benefits in a manner consistent with the benefits described in the April 3, 2012, memorandum issued by the Assistant Secretary of Defense for Health Affairs on the subject of “Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members,” and the guidance issued by the Department of Defense (DoD) to implement such policy, including any limitations on the amount of such benefits available to the members. As mentioned, however, the 2018 Act included two changes to the original IVF authority established under the 2017 Act. First, under the 2018 Act, VA’s IVF authority is no longer subject to the time periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of the April 2012 DoD memorandum. Second, the term “assisted reproductive technology” includes embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage. See section 236(b)(3)(A)–(B), Div. J, of the 2018 Act. Thus, the DoD time-limits applicable to the duration of embryo cryopreservation and storage no longer apply to VA’s IVF authority. Consequently, we are amending §§ 17.380(b) and 17.412(b) to reflect these changes. VA’s IVF authority is still subject to the other terms of the DoD program as reflected in the DoD 2012 memorandum, including those relating to ownership and future embryo use.

This final rulemaking thus implements VA’s IVF authority as described in the interim final rule and as extended and modified by the 2018 Act. The 2018 Act is essentially an extension of the original authority, albeit with limited modifications aimed at increasing the benefit to eligible veterans and their spouses. Consequently, the interim final rule has been revised to accord with changes in the statutory authority.

Reimbursement of adoption expenses, an infertility benefit first authorized in

the 2017 Act and subsequently renewed in the 2018 Act, is the subject of a separate rulemaking.

We provided a 60-day period for public comment of the interim final rule based on the original authority, *i.e.*, the 2017 Act. The comment period expired on March 20, 2017. We received 13 public comments, all of which were generally supportive of the rule. Some commenters raised specific issues. Several commenters asked whether the rule would be applied retroactively to a course of IVF treatment completed prior to the effective date of the rule. Another commenter asked whether Post-traumatic stress disorder (PTSD) is considered a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment. Several commenters stated that IVF should be available to all veterans with a service-connected disability. A commenter stated that VA should share the cost of IVF with a veteran with a preexisting condition that results in the inability of the veteran to procreate without the use of fertility treatment. One commenter was concerned about the expiration of VA’s statutory authority at the end of FY 2018. Another commenter raised the issues of cryopreservation and creating a nationwide network of providers. We address these issues below.

Retroactivity

Three commenters asked whether the rule would be applied retroactively to provide VA with the authority to reimburse veterans for the private cost of IVF treatment completed prior to the publication of the interim final rule. The commenters reference a specific case involving two of these three commenters. One stated that he is a veteran with a service-connected disability that resulted in the inability to procreate without the use of fertility treatment. His spouse, who was treated outside of the VA health care system, was prescribed a course of IVF treatment that concluded prior to publication of the interim final rule. The covered veteran incurred out-of-pocket expenses related to this course of treatment and inquired about reimbursement of those expenses.

The interim final rule was effective on January 19, 2017. It therefore does not cover IVF services previously furnished to eligible beneficiaries before that date. The Administrative Procedure Act generally contemplates rulemaking to apply prospectively, and the term “rule” is defined at 5 U.S.C. 551(4) to mean, in pertinent part, “an agency statement of general or particular applicability and future effect.” The

Supreme Court has stated that retroactivity is not favored in the law and that retroactive rulemaking is only appropriate when Congress has explicitly authorized it. *Bowen v. Georgetown Univ. Hosp.*, 488 U.S. 204 (1988); see also *Landgraf v. USI Film Products*, 511 U.S. 244 (2014). The statute is silent on the issue of retroactive application of the statute or of the implementing regulation VA published to exercise that authority. Given that the statute does not expressly authorize VA to engage in rulemaking that would apply retroactively to infertility treatment or counseling and IVF provided to a covered veteran or spouse prior to the effective date of the rule, we reiterate that VA has determined that such services provided prior to the effective date of the interim final rule are not covered by the rule.

We make no changes based on these comments.

Post-Traumatic Stress Disorder (PTSD)

One commenter inquired as to whether a diagnosis of PTSD would qualify as a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment. That is a medical determination that must be made on a case-by-case basis. VA will provide benefits to a veteran with any service-connected disability resulting in an inability to procreate without the use of fertility treatment, regardless of the specific disability. We make no changes based on this comment.

Expanded Coverage

Several commenters supported the rule but stated that IVF should be available to all veterans with a service-connected disability. One commenter stated that VA should share the cost of IVF with a veteran with a preexisting condition that results in the inability of the veteran to procreate without the use of fertility treatment.

The medical benefits package at 38 CFR 17.38 defines the medical services provided to all enrolled veterans by VA. VA may provide care under the medical benefits package that is determined by appropriate healthcare professionals to be both necessary to promote, preserve, or restore the health of the veteran and in accord with generally accepted standards of medical practice. As part of the medical benefits package, VA provides many different types of medically necessary fertility treatments and procedures to enrolled veterans, irrespective of whether their condition is service-connected. These include infertility counseling, laboratory blood testing, surgical correction of structural

pathology, reversal of a vasectomy or tubal ligation, medication, and various other diagnostic studies or treatments and procedures. This list is not all-inclusive; however, IVF is expressly excluded from VA's medical benefits package under § 17.38(c)(2).

VA will continue to consider whether to remove the exclusion of IVF from the medical benefits package. We note this type of decision is multifactorial and complex, particularly because the benefit, if made available, would have to be offered to all veteran-enrollees in need of such care.

The comment related to cost-sharing for IVF (provided as part of the medical benefits package) is thus premature. As a general matter, we note that copayments do, by law, apply to some veterans receiving care under the medical benefits package based on their enrollment priority group status. To address the issue of copayments, we note that the IVF program authorized under the 2017 Act, as renewed and extended under the 2018 Act, does not establish copayment obligations. Moreover, under the interim final rule, again as amended here to accord technically with the 2018 Act, VA shares the cost of cryopreservation and storage. Under the 2018 Act, the prior DoD time-limits on the period of cryopreservation and storage no longer apply to VA's IVF authority. We make no changes based on this comment, excluding the needed execution of conforming amendments.

Expiration of Authority

One commenter was concerned that the Act is temporary, expiring on September 30, 2018. Although the original authority lapsed, VA's IVF authority was renewed and extended up through the funding period covered by the 2018 Act. Although this treatment authority is still temporary in nature (because it is again tied to a specific timeframe), there has been no lapse in program operations. The commenter's specific concern relating to the authority expiring after September 30, 2018, has thus been rendered moot by the 2018 Act, although we note that, in principle, this concern remains because the authority is still subject to a delimiting date. However, Congress could again renew and extend this authority. For this reason and to avoid the need to continually update these regulations when a subsequent appropriations law (or other law) renews this authority, we have revised §§ 17.380(b) and 17.412(b) to eliminate the sentence therein that specifies the expiration date. We make no other changes based on this comment.

Cryopreservation

One commenter stated that the fertility counseling and treatment program would be most cost-efficient if servicemembers were allowed to provide a sperm or egg for cryopreservation prior to entering active combat. The commenter noted that delayed sample collection would inevitably result in cases where the servicemember suffers a pelvic injury so severe that sample collection is no longer medically possible. The commenter asserted that cryopreservation of sperm or ovum prior to entry into active combat would save money and allow servicemembers who have prioritized childbearing to preserve the ability to procreate. The commenter further noted that approximately 9% of servicemembers wounded in action in Operation Iraqi Freedom and Operation Enduring Freedom received genitourinary injuries. The commenter also provided cost estimates related to cryopreservation and related fertility treatment.

Semen cryopreservation (commonly called sperm banking) is a procedure to preserve sperm cells. Oocyte cryopreservation (egg freezing) is a process in which a woman's egg (oocytes) is extracted, frozen and stored. The semen or egg can later be thawed and used to create an embryo that can then be implanted in a uterus. VA does provide cryopreservation services in those cases where an appropriate health care professional determines that the care is needed to promote, preserve, or restore the health of the veteran and is in accord with generally accepted standards of medical practice. However, the decision on whether to offer cryopreservation of sperm or ovum to servicemembers prior to participating in combat operations lies with DoD, not VA. We make no changes based on this comment.

Provider Network

One commenter recommended that VA establish a nationwide standardized network of reproductive medicine providers. The commenter stated this is most important for servicemembers and military families who must frequently move to new duty stations. Further, veterans and active duty servicemembers may provide a sample in one location and then later receive treatment in a different location.

The creation of provider networks (for purposes of VA's ART program or any other VHA clinical program) is beyond the scope of this rulemaking. However, we note that VA is working with

reproductive medicine and infertility specialists both in VA and in the community to provide necessary fertility counseling and treatment to veterans and spouses covered by 38 CFR 17.380 and 17.412. We make no changes based on this comment.

Based on the rationale set forth in the interim final rule and in this document, VA adopts the interim final rule as a final rule, as modified to accommodate the changes made by the 2018 Act, as noted above.

Administrative Procedure Act

In accordance with 5 U.S.C. 553(b)(B), the Secretary of Veterans Affairs concluded that there was good cause to publish amendments to this rule without prior opportunity for public comment, and to publish this rule with an immediate effective date. The 2018 Act revised our authority to provide ART and IVF to covered veterans and spouses by removing time limitations on cryopreservation and storage of embryos reflected in the April 3, 2012 DoD memorandum titled "Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members." Prior to this revision VA was required to provide ART and IVF benefits to covered veterans and spouses consistent with benefits relating to reproductive assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty as described in that memorandum. This final rule incorporates a specific requirement mandated by Congress. Accordingly, this final rule is exempt from the prior notice-and-comment and delayed-effective-date requirements of 5 U.S.C. 553(b) and (d).

Effect of Rulemaking

Title 38 of the Code of Federal Regulations, as revised by this final rulemaking, represents VA's implementation of its legal authority on this subject. Other than future amendments to this regulation or governing statutes, no contrary guidance or procedures are authorized. All existing or subsequent VA guidance must be read to conform with this rulemaking if possible or, if not possible, such guidance is superseded by this rulemaking.

Paperwork Reduction Act

This final rule contains no provisions constituting a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

Regulatory Flexibility Act

The Secretary hereby certifies that final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. This final rule directly affects only individuals and will not directly affect small entities. Therefore, pursuant to 5 U.S.C. 605(b), this rulemaking is exempt from the initial and final regulatory flexibility analysis requirements of 5 U.S.C. 603 and 604.

Executive Orders 12866, 13563, and 13771

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages; distributive impacts; and equity). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. Executive Order 12866 (Regulatory Planning and Review) defines a “significant regulatory action,” which requires review by the Office of Management and Budget (OMB), as any regulatory action that is likely to result in a rule that may: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in the Executive Order.

VA has examined the economic, interagency, budgetary, legal, and policy implications of this regulatory action and determined that the action is not a significant regulatory action under Executive Order 12866. VA’s impact analysis can be found as a supporting document at <http://www.regulations.gov>, usually within 48 hours after the rulemaking document is published. Additionally, a copy of the

rulemaking and its impact analysis are available on VA’s website at <http://www.va.gov/orpm> by following the link for VA Regulations Published from FY 2004 through FYTD. This rule is not an E.O. 13771 regulatory action because this rule is not significant under E.O. 12866.

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before issuing any rule 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. This final rule will have no such effect on State, local, and tribal governments, or on the private sector.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance numbers and titles for the programs affected by this document are 64.012—Veterans Prescription Service; 64.029—Purchase Care Program; 64.040—VHA Inpatient Medicine; 64.041—VHA Outpatient Specialty Care; 64.042—VHA Inpatient Surgery; 64.045—VHA Outpatient Ancillary Services; 64.047—VHA Primary Care; 64.050—VHA Diagnostic Care.

List of Subjects in 38 CFR Part 17

Administrative practice and procedure, Alcohol abuse, Alcoholism, Claims, Day care, Dental health, Drug abuse, Government contracts, Grant programs—health, Grant programs—veterans, Health care, Health facilities, Health professions, Health records, Homeless, Medical and Dental schools, Medical devices, Medical research, Mental health programs, Nursing homes, Reporting and recordkeeping requirements, Travel and transportation expenses, Veterans.

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 January 11, 2019, for publication.

Dated: March 3, 2019.

Michael P. Shores,

Director, Office of Regulation Policy & Management, Office of the Secretary, Department of Veterans Affairs.

For the reasons set forth in the preamble, the VA amends 38 CFR part 17 as follows:

PART 17—MEDICAL

■ 1. The authority citation for part 17 is amended in the entry for §§ 17.380, 17.390 and 17.412 by adding “, and sec. 236, div. J, Pub. L 115–141, 132 Stat. 348” immediately after “857” to read in part as follows:

Authority: 38 U.S.C. 501, and as noted in specific sections.

* * * * *

■ 2. Amend § 17.380 by revising paragraph (b) to read as follows:

§ 17.380 In vitro fertilization treatment.

* * * * *

(b) The time periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of the memorandum referenced in paragraph (a)(3) of this section do not apply. Embryo cryopreservation and storage may be provided to an individual described in paragraph (a)(1) of this section without limitation on the duration of such cryopreservation and storage.

■ 3. Amend § 17.412 by revising paragraph (b) to read as follows:

§ 17.412 Fertility counseling and treatment for certain spouses.

* * * * *

(b) The time periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of the memorandum referenced in paragraph (a) of this section do not apply. Embryo cryopreservation and storage may be provided to a spouse of a covered veteran without limitation on the duration of such cryopreservation and storage.

[FR Doc. 2019–04096 Filed 3–6–19; 8:45 am]

BILLING CODE 8320–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2018–0121; FRL–9990–44–Region 5]

Air Plan Approval; Ohio; Ohio Permit Rules Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving revisions to Ohio air permitting rules at Ohio Administrative Code (OAC) 3745–31 into the State Implementation Plan (SIP) under the Clean Air Act (CAA). These revisions represent minor changes to the air permitting rules the Ohio Environmental Protection Agency (OEPA) adopted on April 21, 2016, which became effective at the state level on May 1, 2016.

DATES: This final rule is effective on April 8, 2019.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2018–0121. All documents in the docket are listed on the www.regulations.gov website. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available either through www.regulations.gov or at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Sam Portanova, Environmental Engineer, at (312) 886–3189 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Sam Portanova, Environmental Engineer, Air Permits Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–3189, portanova.sam@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document whenever “we,” “us,” or “our” is used, we mean EPA. This supplementary information section is arranged as follows:

- I. Background
- II. What action is EPA taking?
- III. Incorporation by Reference
- IV. Statutory and Executive Order Reviews

I. Background

On January 2, 2018, OEPA submitted revisions to rules in OAC chapters 3745–31–01, 3745–31–03, 3745–31–05, 3745–31–06, 3745–31–11, 3745–31–13, and 3745–31–14 to EPA for approval into the SIP. These revisions pertain to

air permitting rules which update definitions, provisions for exemptions and permits-by-rule, criteria for permits-to-install and permits-to-install-and-operate, and attainment provisions. Ohio adopted revisions to these rules on April 21, 2016. In the January 2, 2018, submittal, OEPA requested that the following paragraphs be excluded from approval into the SIP: OAC 3745–31–01(I), (NN)(2)(b) and (c), (SSS)(1)(b), (CCCC)(2)(d) through (h), (QQQQ), (JJJJ), and (BBBBB); 3745–31–03(B)(1)(p) and (C)(2)(c)(iii); 3745–31–05(A)(3)(a)(ii) and (E); and 3745–31–13(H)(1)(c). On July 27, 2018, OEPA submitted a supplement to the January 2, 2018, SIP submittal to address requirements of Section 110(l) of the CAA.

On October 25, 2018 (83 FR 53832), EPA published a proposed approval of the rule revisions included in the January 2, 2018, submittal from OEPA. The specific details of OEPA’s January 2, 2018, SIP submittal and the rationale for EPA’s approval were discussed in the October 25, 2018 proposed approval and will not be restated here. EPA received no comments during the comment period of the proposed approval.

II. What action is EPA taking?

EPA is approving rule revisions to 3745–31–01, 3745–31–03, 3745–31–05, 3745–31–06, 3745–31–11, 3745–31–13, and 3745–31–14 that OEPA submitted on January 2, 2018, into the SIP. EPA finds that the revisions are consistent with Federal requirements. As requested by OEPA, the following provisions are not included in this approval: OAC 3745–31–01(I), (NN)(2)(b) and (c), (SSS)(1)(b), (CCCC)(2)(d) through (h), (QQQQ), (JJJJ), and (BBBBB); 3745–31–03(B)(1)(p) and (C)(2)(c)(iii); 3745–31–05(A)(3)(a)(ii) and (E); and 3745–31–13(H)(1)(c).

III. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the Ohio Regulations described in the amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these documents generally available through www.regulations.gov, and at the EPA Region 5 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information). Therefore, these materials have been approved by EPA for inclusion in the SIP, have been incorporated by

reference by EPA into that plan, are fully federally enforceable under sections 110 and 113 of the CAA as of the effective date of the final rulemaking of EPA’s approval, and will be incorporated by reference in the next update to the SIP compilation.¹

IV. Statutory and Executive Order Reviews

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

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as

¹ 62 FR 27968 (May 22, 1997).

appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

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

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United

States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 6, 2019. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping

requirements, Sulfur oxides, Volatile organic compounds.

Dated: February 25, 2019.

Cheryl L. Newton,

Acting Regional Administrator, Region 5.

40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

■ 2. In § 52.1870, the table in paragraph (c) is amended by removing the first entry for 3745–31–01 and revising the entries for the remaining 3745–31–01 and 3745–31–03, 3745–31–05, 3745–31–06, 3745–31–11, 3745–31–13, and 3745–31–14 under “Chapter 3745–31 Permit-to Install New Sources and Permit-to-Install and Operate Program” to read as follows:

§ 52.1870 Identification of plan.

* * * * *
(c) * * *

EPA-APPROVED OHIO REGULATIONS

Ohio citation	Title/Subject	Ohio effective date	EPA Approval date	Notes
* * *	* * *	* * *	* * *	* * *
Chapter 3745–31 Permit-to Install New Sources and Permit-to-Install and Operate Program				
3745–31–01	Definitions	5/1/2016	3/7/2019, [Insert Federal Register citation].	Except for (l), (NN)(2)(b) and (c), (SSS)(1)(b), (CCCC)(2)(d) through (h), (QQQQ), (JJJJ), and (BBBBB).
* * *	* * *	* * *	* * *	* * *
3745–31–03	Exemptions and Permits-by-Rule	5/1/2016	3/7/2019, [Insert Federal Register citation].	Except for (B)(1)(p) and (C)(2)(c)(iii).
* * *	* * *	* * *	* * *	* * *
3745–31–05	Criteria for Decision by the Director	5/1/2016	3/7/2019, [Insert Federal Register citation].	Except for (A)(3)(a)(ii) and (E).
3745–31–06	Completeness Determinations, Processing Requirements, Public Participation, Public Notice and Issuance.	5/1/2016	3/7/2019, [Insert Federal Register citation].	
* * *	* * *	* * *	* * *	* * *
3745–31–11	Attainment Provisions—Ambient Air Increments, Ceilings and Classifications.	5/1/2016	3/7/2019, [Insert Federal Register citation].	
* * *	* * *	* * *	* * *	* * *
3745–31–13	Attainment Provisions—Review of Major Stationary Sources and Major Modifications, Stationary Source Applicability and Exemptions.	5/1/2016	3/7/2019, [Insert Federal Register citation].	Except for (H)(1)(c).
3745–31–14	Attainment Provisions—Pre-application Analysis	5/1/2016	3/7/2019, [Insert Federal Register citation].	
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 [FR Doc. 2019-04065 Filed 3-6-19; 8:45 am]
 BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52, 60, 61, 63, 70, 271, and 281

[EPA-R08-OAR-2018-0616 EPA-R08-OAR-2018-0299 EPA-R08-RCRA-2018-0084 and EPA-R08-UST-2018-0728; FRL9990-24]

Approvals Concerning Revisions to North Dakota’s Environmental Protection Programs; Delay of Effective Dates

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; delay of effective dates.

SUMMARY: Due to unforeseen delays resulting from the lapse in appropriations for the Environmental Protection Agency (EPA), the EPA’s final approvals concerning revisions to North Dakota’s environmental protection programs that have the effect of transferring authority from the North Dakota Department of Health (NDDH) to the newly-created North Dakota Department of Environmental Quality (NDDEQ) are delayed until April 30, 2019. This action delays the effective dates of the four relevant rules, published in the **Federal Register** between December 19, 2018 and February 11, 2019.

DATES: The rule is effective April 30, 2019. The effective dates of the rules published at 83 FR 65101 (December 19, 2018), 83 FR 65104 (December 19, 2018), 84 FR 1610 (February 5, 2019), and 84 FR 3108 (February 11, 2019), are delayed until April 30, 2019. See **SUPPLEMENTARY INFORMATION** for details.

FOR FURTHER INFORMATION CONTACT: Mai Denawa, Office of Regional Counsel, EPA Region 8, 1595 Wynkoop Street, Denver, Colorado 80202-1129; telephone number: 303-312-6514; email address: *denawa.mai@epa.gov*.

SUPPLEMENTARY INFORMATION: Due to unforeseen delays that the lapse in appropriations has caused, the effective dates for the rules listed in the table below are revised to April 30, 2019. These actions relate to the EPA’s final approvals concerning revisions to North Dakota’s environmental protection programs that have the effect of transferring authority to implement and enforce previously EPA-authorized/ approved/delegated/codified environmental protection programs from the North Dakota Department of Health (NDDH) to the newly-created North Dakota Department of Environmental Quality (NDDEQ). However, because EPA has not issued final approvals for all the relevant environmental programs to the NDDEQ, EPA is delaying the effective dates of the approvals that have been finalized to allow for the transfer of all the programs to be synchronized, allowing them to become effective without creating uncertainty in the State entity that has EPA approval to implement North Dakota’s environmental programs.

The North Dakota legislature enacted North Dakota Senate Bill 2327 (S.L. 2017, ch. 199, Section 1) in 2017 to create the new NDDEQ. This law requires that the transfer of authority from NDDH to NDDEQ will only occur if the State has obtained all approvals from EPA to ensure that the State will continue to meet federal requirements for the respective environmental programs. For the programs described in the below table (as well as the underground injection control program under the Safe Drinking Water Act) that require notice and comment in the **Federal Register** as part of the approval

process for the revision, the State is relying on the date that EPA signs the final notice as the required “approval” under S.L. 2017, ch. 1. 199, Section 1. Once EPA approves revisions to all relevant environmental programs, the State intends to take the necessary additional steps as specified in S.L. 2017, ch. 199, Section 1, to ensure that the transfer in authority would be effective under State law. EPA sought to ensure that NDDEQ rules and the NDDEQ would become effective under State law prior to the effective date of EPA’s approvals. Otherwise, EPA would in effect approve an agency that did not yet exist. Additionally, to prevent a gap in an EPA-approved program while the transfer occurs for the programs in the below table, our final notices noted that unless and until the NDDEQ rules and agency become fully effective under federal law, for purposes of federal law the EPA recognizes the State’s program as currently approved under NDDH. See 84 FR 1610 (February 5, 2019); 84 FR 3108 (February 11, 2019); 83 FR 65101 (December 19, 2018); 83 FR 65104 (December 19, 2018). Based on this process and our subsequent conversations with the State, EPA had initially determined that our approval of the revised programs in the below table should become fully effective under federal law on March 15, 2019.

However, the lapse in appropriations has caused unforeseen delays in completing issuance of the remaining necessary approvals. Specifically, the underground injection control (UIC) program under the SDWA is still pending final rule signature and review, though a proposed rule has been published and the comment period has closed. (83 FR 62536, December 4, 2018). EPA is delaying the effective date of the approvals in the below table because the March 15 effective date is no longer feasible.

Federal Register citation	CFR part affected	Title	Original effective date	New effective date
84 FR 1610, February 5, 2019 9.	Part 52	Approval and Promulgation of Implementation Plans; North Dakota; Revisions to Infrastructure Requirements for All National Ambient Air Quality Standards; Carbon Monoxide (CO); Lead (Pb); Nitrogen Dioxide (NO2); Ozone (O3); Particle Pollution (PM2.5, PM10); Sulfur Dioxide (SO2); Recodification.	3/15/2019	4/30/2019
84 FR 3108, February 11, 2019.	Parts 60, 61, 63, 70	Approval of Recodification and Revisions to State Air Pollution Control Rules; North Dakota; Interim Approval of Title V Program Recodification and Revisions; Approval of Recodification and Revisions to State Programs and Delegation of Authority To Implement and Enforce Clean Air Act Sections 111 and 112 Standards and Requirements.	3/15/2019	4/30/2019

Federal Register citation	CFR part affected	Title	Original effective date	New effective date
83 FR 65101, December 19, 2018.	Part 271	North Dakota: Final Authorization of State Hazardous Waste Management Program Revisions.	3/15/2019	4/30/2019
83 FR 65104, December 19, 2018.	Part 281	North Dakota: Final Approval of State Underground Storage Tank Program Revisions.	3/15/2019	4/30/2019

The Agency's implementation of this action without opportunity for public comment is based on the good cause exception in 5 U.S.C. 553(b)(B). Section 553(b)(B) of the Administrative Procedure Act provides that, when an agency for good cause finds "that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest," an agency may issue a rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making this rule final without prior proposal and opportunity for comment because notice and public procedure are impracticable and unnecessary. This rule will extend the effective date of the final EPA approvals to ensure that the timing of these approvals and DEQ's transfer comports with the above-described State and EPA requirements. Issuing this extension in final form is urgent because without it, the EPA approvals would go into effect well in advance of the time that the State transfer of authority occurs. This would create uncertainty about which entity would be implementing North Dakota's environmental programs during the period between March 15 and North Dakota's transfer of authority. The urgency arises because the lapse in appropriations caused delays that were outside EPA's control. Thus, prior notice and comment was impracticable.

Further, notice and comment are unnecessary because the effect of this rule is inconsequential to the regulated communities' rights and responsibilities under the various programs covered by the approvals, as it does not significantly change the substantive obligations that regulated entities must comply with. Rather, this notice affects the timing of which entity—the NDDH or the NDDEQ—will implement North Dakota's environmental programs. As described in our notices, we found that the NDDEQ will have adequate resources to implement these programs. Thus, there should not be any consequences to the regulated community in terms of changed times to, for example, process permit applications.

In addition, it is unnecessary to provide an additional opportunity for comment as the reasoning for setting an

effective date on the basis of when the State transfer of authority would occur was fully described in the approval actions and did not receive any public comment. Although we are extending the effective date to April 30, 2019, the reasoning for setting an effective date in conjunction with the State transfer of authority continues to apply. The Agency therefore finds that there is good cause under 5 U.S.C. 553(b)(B) to forego prior notice and comment.

This action is effective immediately upon publication under 5 U.S.C. 553(d). Section 553(d) of the Administrative Procedure Act ("APA") provides that final rules shall not become effective until 30 days after publication in the **Federal Register**, "except . . . as otherwise provided by the agency for good cause," among other exceptions. The purpose of this provision is to "give affected parties a reasonable time to adjust their behavior before the final rule takes effect." *Omnipoint Corp. v. FCC*, 78 F.3d 620, 630 (D.C. Cir. 1996); see also *United States v. Gavrilovic*, 551 F.2d 1099, 1104 (8th Cir. 1977) (quoting legislative history). Thus, in determining whether good cause exists to waive the 30-day delay, an agency should "balance the necessity for immediate implementation against principles of fundamental fairness which require that all affected persons be afforded a reasonable amount of time to prepare for the effective date of its ruling." *Gavrilovic*, 551 F.2d at 1105. There is a necessity for immediate implementation of this rule because as described above—both due to the State processes that are statutorily-prescribed, and the delays in completing EPA's approvals due to the lapse in appropriations—EPA's failure to amend the effective date would create uncertainty in the State entity that would implement the State's environmental programs on or after March 15. If the March 15 effective date was not amended, NDDEQ would become the EPA-approved entity to implement the programs described in the table above, yet NDDEQ would not yet exist. Further, as previously discussed, this action will affect the timing of which State entity will implement North Dakota's environmental programs. Accordingly,

this final rule will not require affected persons to take action or change behavior to come into compliance within the next 30 days. Furthermore, EPA believes that making the rule effective upon publication will allow the EPA to recognize the authorized/approved/delegated/codified program under DEQ as applicable law without further delay. For these reasons, the EPA finds that good cause exists under section 553(d)(3) to make this rule effective immediately upon publication.

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Greenhouse gases, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

40 CFR Part 61

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, National emission standards for hazardous air pollutants, Delegation of authority.

40 CFR Part 70

Environmental protection, Air pollution control, Intergovernmental relations, Operating permit program, State acid rain program, Title V.

Dated: February 26, 2019.

Debra H. Thomas,
Acting Regional Administrator.

For the reasons set forth in the preamble, EPA amends 40 CFR Parts 52, 61, and 70 as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

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

§ 52.1820 [Amended]

■ 2. In § 52.1820(c), remove "3/15/2019" everywhere it appears and add in its place "4/30/2019".

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

■ 3. The authority citation for part 61 continues to read as follows:

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

§ 61.04 [Amended]

■ 4. In § 61.04(c)(8), remove “March 15, 2019” and add in its place “April 30, 2019” and remove “December 17, 2018” and add in its place “February 26, 2019”.

PART 70—STATE OPERATING PERMIT PROGRAMS

■ 5. The authority citation for part 70 continues to read as follows:

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

Appendix A to Part 70 [Amended]

■ 6. In appendix A to part 70, the entry for North Dakota paragraph (d), remove “March 15, 2019” and add in its place “April 30, 2019” and remove “March 19, 2020” and add in its place “May 1, 2020”.

[FR Doc. 2019-03869 Filed 3-6-19; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA-R07-OAR-2018-0812; FRL-9989-73-Region 7]

Approval of State Plans for Designated Facilities and Pollutants; Kansas; Sewage Sludge Incineration Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is accepting the negative declaration submitted by the State of Kansas, for Sewage Sludge Incineration (SSI) units. This negative declaration submitted by the Kansas Department of Health and Environment (KDHE) certifies that SSI units subject to sections 111(d) and 129 of the Clean Air Act (CAA) do not exist within the jurisdiction of the State of Kansas. The EPA is accepting the negative declaration in accordance with the requirements of the CAA.

DATES: This final rule will be effective April 8, 2019.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R07-OAR-2018-0812. All documents in the docket are listed on

the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://www.regulations.gov> or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional information.

FOR FURTHER INFORMATION CONTACT:

Larry Gonzalez, Environmental Protection Agency, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219 at (913) 551-7041 or by email at gonzalez.larry@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document “we,” “us,” or “our” refer to EPA.

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- I. Background
- II. What action is EPA taking?
- III. Statutory and Executive Order Reviews

I. Background

The Clean Air Act (CAA) requires that state regulatory agencies implement emission guidelines and associated compliance times using a state plan developed under sections 111(d) and 129 of the CAA.

The general provisions for the submittal and approval of state plans are codified in 40 CFR part 60, subpart B and 40 CFR part 62, subpart A. Section 111(d) establishes general requirements and procedures on state plan submittals for the control of designated pollutants. Section 129 requires emission guidelines to be promulgated for all categories of solid waste incineration units, including SSI units. SSI units are defined at 40 CFR 60.5250 as an incineration unit combusting sewage sludge for the purpose of reducing the volume of the sewage sludge by removing combustible matter. Sewage sludge incineration unit designs include fluidized bed and multiple hearth. A SSI unit also includes, but is not limited to, the sewage sludge feed system, auxiliary fuel feed system, grate system, flue gas system, waste heat recovery equipment, if any, and bottom ash system. The SSI unit includes all ash handling systems connected to the bottom ash handling system. The combustion unit bottom ash system ends at the truck loading station or similar equipment that transfers the ash to final disposal. The SSI unit does not

include air pollution control equipment or the stack.

Section 129 mandates that all plan requirements be at least as protective as the promulgated emission guidelines. This includes fixed final compliance dates, fixed compliance schedules, and Title V permitting requirements for all affected sources. Section 129 also requires that state plans be submitted to EPA within one year after EPA’s promulgation of the emission guidelines and compliance times.

States have options other than submitting a state plan in order to fulfill their obligations under CAA sections 111(d) and 129. If a state does not have any existing SSI units for the relevant emission guidelines, a letter can be submitted certifying that no such units exist within the state (*i.e.*, negative declaration) in lieu of a state plan, in accordance with 40 CFR 60.5010. The negative declaration exempts the state from the requirements of subpart B that would otherwise require the submittal of a CAA section 111(d)/129 plan.

On March 21, 2011, EPA finalized emission guidelines for SSI units at 76 FR 15372, (found at 40 CFR part 60, subpart MMMM). Following the 2011 final rule, KDHE determined that there were two SSI units operating at a single facility in Kansas, but those units were permanently shut down on June 14, 2014 and September 7, 2016. Prior to shutdown of the two units at the single facility in Kansas, the two units were regulated via the Federal plan under the enforcement oversight of EPA Region 7. In response and following the shutdown of the units, KDHE submitted a negative declaration for SSI units on April 30, 2018.

On December 26, 2018, the EPA published in the **Federal Register** at 83 FR 66209, a rule proposing to accept KDHE’s certification that there exists no SSI units operating in the State of Kansas Subject to 40 CFR part 60, subpart MMMM. In response to this proposal, EPA received no adverse comments. Therefore, the EPA is finalizing acceptance of KDHE’s negative declaration submission made on April 30, 2018. This action applies to the state’s regulatory requirements for existing facilities and not new sources.

II. What action is EPA taking?

In this rule, the EPA is amending 40 CFR part 62 to reflect receipt of the negative declaration letter from the state of Kansas (KDHE) certifying that there are no existing SSI units subject to 40 CFR part 60, subpart MMMM, in accordance with section 111(d) of the CAA.

III. Statutory and Executive Orders

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review under Executive Orders 12866 and 13563 (76 FR 3821, January 21, 2011). This action is also not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001). This action approves the state’s negative declaration as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rulemaking will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this action does not impose an enforceable duty upon State, local, or tribal governments, and does not reduce or eliminate the amount of authorization of Federal appropriations, and because it contains no regulatory requirements applicable to small governments, this action does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

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

This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). Thus Executive Order 13132 does not apply to this action. This action merely approves a state’s negative declaration submitted in response to a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This rulemaking also is not subject to Executive Order 13045, “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997) because it approves a

state submission in response to a Federal standard.

This action does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Burden is defined at 5 CFR 1320.3(b).

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Administrative practice and procedure, sewage sludge incineration units.

Dated: March 1, 2019.

James Gulliford,

Regional Administrator, Region 7.

For the reasons stated in the preamble, EPA amends 40 CFR part 62 as set forth below:

PART 62—APPROVAL AND PROMULGATION OF STATE PLANS FOR DESIGNATED FACILITIES AND POLLUTANTS

- 1. The authority citation for part 62 continues to read as follows:

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

Subpart R—Kansas

- 2. Amend subpart R by adding an undesignated center heading and § 62.4183 to read as follows:

Air Emissions From Existing Sewage Sludge Incineration Units

§ 62.4183 Identification of plan—negative declaration.

Letter from the Kansas Department of Health and Environment submitted April 30, 2018, certifying that there are no sewage sludge incineration units subject to 40 CFR part 60, subpart Mmmm.

[FR Doc. 2019–04051 Filed 3–6–19; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 217

[Docket No. 180411364–9092–02]

RIN 0648–BH90

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to National Park Service’s Research and Monitoring Activities in Southern Alaska National Parks

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

ACTION: Final rule; issuance of Letters of Authorization (LOA).

SUMMARY: NMFS, upon request from the National Park Service (NPS), hereby issues regulations to govern the unintentional taking of marine mammals incidental to research and monitoring activities in southern Alaska over the course of five years (2019–2024). These regulations, which allow for the issuance of Letters of Authorization (LOA) for the incidental take of marine mammals during the described activities and specified timeframes, prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat, as well as requirements pertaining to the monitoring and reporting of such taking. In accordance with the Marine Mammal Protection Act (MMPA), as amended, and implementing regulations, notification is hereby additionally given that two LOAs have been issued to NPS to take marine mammals incidental to research and monitoring activities in southern Alaska national parks.

DATES: Effective from March 7, 2019 through February 29, 2024.

FOR FURTHER INFORMATION CONTACT: Gray Redding, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Availability

A copy of NPS’s application and any supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>. In case of problems accessing these documents, please call the contact listed above (see **FOR FURTHER INFORMATION CONTACT**).

Purpose and Need for Regulatory Action

These regulations establish a framework under the authority of the Marine Mammal Protection Act (MMPA) (16 U.S.C. 1361 *et seq.*) for authorizing the take of marine mammals incidental to NPS’s gull and climate monitoring activities within Glacier Bay National Park (GLBA NP) and marine bird surveys in the Southwest Alaska Inventory and Monitoring Network (SWAN) region. Researchers conducting these surveys may cause behavioral disturbance (Level B harassment) of harbor seals and Steller sea lions.

We received an application from NPS requesting five-year regulations and authorization to take harbor seals and

Stellar sea lions. Take is expected to occur by Level B harassment incidental to research and monitoring activities due to behavioral disturbance of pinnipeds. The regulations are valid from 2019 to 2024. Please see “Background” below for definitions of harassment.

Legal Authority for the Action

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1371(a)(5)(A)) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region for up to five years if, after notice and public comment, the agency makes certain findings and issues regulations that set forth permissible methods of taking pursuant to that activity and other means of effecting the “least practicable adverse impact” on the affected species or stocks and their habitat (see the discussion below in the “Mitigation” section), as well as monitoring and reporting requirements. Section 101(a)(5)(A) of the MMPA and the implementing regulations at 50 CFR part 216, subpart I, provide the legal basis for issuing this rule containing five-year regulations, and for any subsequent LOAs. As directed by this legal authority, the regulations contain mitigation, monitoring, and reporting requirements.

Summary of Major Provisions Within the Regulations

The following provides a summary of some of the major provisions within the regulations for NPS’s research and monitoring activities in southern Alaska. We have determined that NPS’s adherence to the mitigation, monitoring, and reporting measures listed below will achieve the least practicable adverse impact on the affected marine mammals. They include:

- Measures to minimize the number and intensity of incidental takes during monitoring activities and to minimize the duration of disturbances;
- Measures designed to eliminate startling reactions; and
- Eliminating or altering research activities on GLBA NP beaches when pups are present, and setting limits on the frequency and duration of events during pupping season.

Background

Paragraphs 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1371 (a)(5)(A) and (D)) direct the Secretary of Commerce to allow, upon request, the incidental, but

not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s); will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant); and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined “negligible impact” in 50 CFR 216.103 as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival. NMFS has defined “unmitigable adverse impact” in 50 CFR 216.103 as an impact resulting from the specified activity:

- That is likely to reduce the availability of the species to a level insufficient for a harvest to meet subsistence needs by:
 - Causing the marine mammals to abandon or avoid hunting areas;
 - Directly displacing subsistence users; or
 - Placing physical barriers between the marine mammals and the subsistence hunters; and
- That cannot be sufficiently mitigated by other measures to increase the availability of marine mammals to allow subsistence needs to be met.

Except with respect to certain activities not pertinent here, the MMPA defines “harassment” as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Summary of Request

On February 6, 2018, we received an adequate and complete request from NPS for authorization to take marine mammals incidental to gull and climate monitoring activities in GLBA NP. On February 22, 2018 (83 FR 7699), we published a notice of receipt of NPS’s

application in the **Federal Register**, requesting comments and information related to the request for 30 days. We did not receive any comments. NPS provided a revised application incorporating minor revisions on April 23, 2018. Subsequently, NPS has identified additional research and monitoring projects in southern Alaska (SWAN region) with similar sources of marine mammal disturbance and potential effects. On October 29, 2018, NMFS received an adequate and complete revised application including these additional research and monitoring activities. These additional activities were determined to be similar in scope and impact to the original proposed activities, and NMFS determined that publication of a revised notice of receipt was not necessary for the updated application. On December 13, 2018, NMFS published a notice of proposed rulemaking in the **Federal Register** (83 FR 64078), requesting comments for 32 days. We received three comments which are summarized and addressed below (Comment and Responses).

Prior to this request for incidental take regulations and subsequent LOAs, we issued five consecutive incidental harassment authorizations (IHA) to NPS for incidental take associated with the GLBA NP ongoing gull and climate monitoring activities. NPS was first issued an IHA, valid for a period of one year, effective on September 18, 2014 (79 FR 56065), and was subsequently issued one-year IHAs for incidental take associated with the same activities, effective on March 24, 2015 (80 FR 28229), June 1, 2016 (77 FR 24471), May 20, 2017 (82 FR 24681), and February 15, 2018 (83 FR 6842). NPS has abided by all of NMFS’s mitigation and monitoring requirements in previous activities for which take was authorized.

Authorization

This action also serves as a notice of issuance of two LOAs to NPS authorizing the take of marine mammals by Level B harassment incidental to research and monitoring activities with GLBA NP and the SWAN region. The level and type of take authorized by these LOAs is outlined in this preamble to the final rule, and any changes to the numbers of authorized takes are presented during the proposed rulemaking is explained within this document. Take by mortality or serious injury is not anticipated or authorized.

Description of the Specified Activity

A detailed description of the planned NPS project is provided in the **Federal Register** in the notice of proposed

rulemaking (83 FR 64078; December 13, 2018). Since that time, no changes have been made to the planned NPS monitoring activities. Therefore, a detailed description is not provided here. Please refer to that **Federal Register** notice of proposed rulemaking for the description of the specific activity.

Glacier Bay

NMFS is issuing one LOA for two research projects NPS plans to conduct within the GLBA NP in southeast Alaska: (1) Glaucous-winged gull monitoring, and (2) the maintenance of a weather station operation for long-term climate monitoring. NPS plans to conduct ground and vessel surveys at six study sites within GLBA NP for gull monitoring: South Marble Island, Boulder Island, Lone Island, Geikie Rock, Flapjack Island, and Tlingit Point Islet. These sites will be accessed up to five times per year. Two of these sites, South Marble Island and Tlingit Point Islet, have been accessed during previous research but have no documented harbor seal haulouts. Additionally, Steller sea lions are not found on the portion of South Marble Island accessed by GLBA NP researchers. In addition, NPS is requesting permission to access Lone Island an additional three times per year for weather station maintenance and operation bringing the total number of site visits to Lone Island to eight. Researchers accessing the islands for gull monitoring and weather station operation may cause behavioral disturbance (Level B harassment) of harbor seals. NPS expects that the disturbance to harbor seals from both projects will be limited to Level B harassment. Disturbance to Steller sea lions is not expected to occur as a result of implementation of mitigation measures.

The purpose for the above-mentioned research activities are as follows. Gull monitoring studies are mandated by a Record of Decision of a Legislative Environmental Impact Statement (LEIS) (NPS 2010) which states that NPS must initiate a monitoring program for glaucous-winged gulls (*Larus glaucescens*) to inform future native egg harvest by the Hoonah Tlingit in Glacier Bay, Alaska. Installation of a new weather station on Lone Island was conducted by the NPS in the spring of 2018 as one of several installations intended to fill coverage gaps among existing weather stations in GLBA NP (NPS 2015a). In order to properly maintain the newly installed weather station, researchers must access the Lone Island weather station site at least

twice a year for annual maintenance and repairs.

Southwest Alaska Inventory and Monitoring Network

NMFS is issuing a second LOA for the SWAN region marine bird multi-species nearshore surveys that NPS plans to conduct along the coastlines of Katmai National Park and Preserve (KATM), Kenai Fjords National Park (KEFJ), and in Kachemak Bay (KBAY) in support of long-term monitoring programs in these regions of southwest Alaska. Occasional disturbance of Steller sea lions and harbor seals may occur during surveys. Steller sea lion and harbor seal habitat coincides with surveyed nearshore transects. Please see NPS's application for established transect locations for KATM and KEFJ and proposed transect locations for KBAY. NMFS expects that the disturbance will be limited to Level B harassment and will not result in serious injury or death. SWAN also seeks to foster further collaborations with NOAA and share monitoring data in the future.

Comment and Responses

NMFS published a proposed rule in the **Federal Register** on December 13, 2018 (83 FR 64078). During the 32-day comment period on the proposed rule, NMFS received three comments, including one from the Marine Mammal Commission (Commission). All of these comments were generally in favor of issuing the rule, including the Commission's which recommended NMFS issue the final rule and subsequent LOAs, subject to inclusion of the proposed mitigation, monitoring, and reporting measures.

Comment 1: One comment requested further information about the research results the National Park Service has generated through their previous work NMFS has authorized incidental take for in GLBA NP.

Response: NMFS has not analyzed the results of NPS's research but refers the commenter to information provided by GLBA NP and NPS related to research in the park (<https://www.nps.gov/glba/learn/scienceresearch.htm>).

Comment 2: One comment raised general questions about the methods used to approach survey islands, suggesting the use of only non-motorized vessels, such as a row dingy or kayak. The commenter also suggested that gull monitoring trips and climate monitoring/weather station maintenance trips be combined to minimize approaches to Lone Island.

Response: NMFS has determined that the mitigation measures outlined in the "Mitigation" section are sufficient to

minimize take of marine mammals during GLBA NP research and monitoring to the level of least practicable adverse impact, as required by the MMPA. GLBA NP researchers have a vested interest in minimizing the disturbance of their surveys and vessels approaches to insure that data they collect on glaucous-winged gulls is as representative as possible. As such, NMFS understands that researchers will make an appropriate decision on how to approach islands and conduct surveys balancing their research needs, safety, and desire to minimize disturbance. Additionally, the timing of the climate monitoring and weather station maintenance trips and the glaucous-winged gull surveys may not align based on research and maintenance needs, so NMFS feels it is not reasonable to require these trips be combined.

Description of Marine Mammals in the Area of the Specified Activity

A detailed description of the species likely to be affected by the NPS projects, including brief introductions to the species and relevant stocks as well as available information regarding population trends and threats, and information regarding local occurrence, are provided in NPS's application and the **Federal Register** notice of proposed rulemaking (83 FR 64078; December 13, 2018). We are not aware of any changes in the status of these species and stocks; therefore, detailed descriptions are not provided here. Please refer to that **Federal Register** notice of proposed rulemaking for these descriptions. Additional information regarding population trends and threats may be found in NMFS's Stock Assessment Reports (SAR; <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>) and more general information about these species (e.g., physical and behavioral descriptions) may be found on NMFS's website (<https://www.fisheries.noaa.gov/find-species>).

While there are no changes in the status of these stocks, NMFS here provides additional information on the presence of Steller sea lions in GLBA NP which may not have been clear in the preamble to the proposed rule. In the preamble to the proposed rule, NMFS stated that Steller sea lions are not generally seen on the GLBA NP islands being researched, but this species is commonly seen year round on South Marble Island (Womble and Gende, 2010), one of the islands GLBA NP plans to survey, and has historically surveyed, for glaucous-winged gulls. These Steller sea lions have been

present on South Marble Island during GLBA NP’s previous research and monitoring, but no disturbance has been documented. In GLBA NP’s research and monitoring, mitigation measures, including maintaining a 100 meter distance from all Steller sea lions, will help ensure no disturbance of Steller sea lions, as these measures have been proven successful in preventing disturbance during work carried out under previous IHAs.

Table 1 lists all species with expected potential for occurrence within the survey areas and summarizes information related to the population or stock, including regulatory status under the MMPA and Endangered Species Act

(ESA) and potential biological removal (PBR), where known. For taxonomy, we follow the Committee on Taxonomy (2018). PBR is defined by the MMPA as the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its optimum sustainable population (as described in NMFS’s SARs). While no mortality is anticipated or authorized here, PBR and annual serious injury and mortality from anthropogenic sources are included here as gross indicators of the status of the species and other threats.

Marine mammal abundance estimates presented in this document represent

the total number of individuals that make up a given stock or the total number estimated within a particular study or survey area. NMFS’s stock abundance estimates for most species represent the total estimate of individuals within the geographic area, if known, that comprises that stock. For some species, this geographic area may extend beyond U.S. waters. All managed stocks in this region are assessed in NMFS’s U.S. Alaska SARs (Muto *et al.*, 2018). All values presented in Table 1 are the most recent available at the time of publication and are available in the 2017 SARs (Muto *et al.*, 2018).

TABLE 1—MARINE MAMMALS THAT COULD OCCUR IN THE PROJECT AREA

Common name	Scientific name	Stock	ESA/ MMPA status; Strategic (Y/N) ¹	Stock abundance (CV, N _{min} , most recent abundance survey) ²	PBR	Annual M/SI ³
Order Carnivora—Superfamily Pinnipedia						
Family Otariidae (eared seals and sea lions): Steller sea lion	<i>Eumetopias jubatus</i>	Eastern U.S.	-/-; N	41,638 (n/a, 41,638, 2015) ⁴ .	306	236
		Western U.S.	E/D; Y	54,267 (n/a; 54,267; 2017) ⁴ .	326	252
Family Phocidae (earless seals): Harbor seal	<i>Phoca vitulina richardii</i>	Glacier Bay/Icy Strait	-/-; N	7,210 (n/a.; 5,647; 2011) ⁴ .	169	104
		Cook Inlet/Shelikof Strait	-/-; N	27,386 (n/a; 25,651; 2011) ⁴ .	770	234
		Prince William Sound	-/-; N	29,889 (n/a; 27,936; 2011) ⁴ .	838	279

1—Endangered Species Act (ESA) status: Endangered (E), Threatened (T)/MMPA status: Depleted (D). A dash (-) indicates that the species is not listed under the ESA or designated as depleted under the MMPA. Under the MMPA, a strategic stock is one for which the level of direct human-caused mortality exceeds PBR or which is determined to be declining and likely to be listed under the ESA within the foreseeable future. Any species or stock listed under the ESA is automatically designated under the MMPA as depleted and as a strategic stock.

2—NMFS marine mammal stock assessment reports online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-stock-assessments>. CV is coefficient of variation; Nmin is the minimum estimate of stock abundance. In some cases, CV is not applicable (n/a)

3—These values, found in NMFS’s SARs, represent annual levels of human-caused mortality plus serious injury from all sources combined (e.g., commercial fisheries, ship strike). Annual M/SI often cannot be determined precisely and is in some cases presented as a minimum value or range.

4—CV value not reported in SARs

All marine mammal species that could potentially occur in the proposed survey areas are included in Table 1. While cetaceans, including humpback, beluga, and killer whales, may be present in nearby waters, NPS’s activities are expected to result in harassment only for hauled out pinnipeds. Therefore, cetaceans are not considered further in this analysis. However, NPS does include avoidance measures for cetaceans, described in the “Mitigation” section below. Finally, sea otters may be found throughout the planned project area. However, sea otters are managed by the U.S. Fish and Wildlife Service and are not considered further in this document.

Effects of the Specified Activity on Marine Mammals and Their Habitat

The proposed rule (83 FR 64078; December 13, 2018) included a

discussion of the effects of disturbance on marine mammals and their habitat, therefore that information is not repeated here; please refer to the **Federal Register** notice of proposed rulemaking (83 FR 64078; December 13, 2018) for that information. We provide only a summary here.

The NPS’s research and monitoring activities in GLBA NP and the SWAN region are not expected to have permanent impacts on marine mammals or the habitats used directly by marine mammals, such as haulout sites, nor are there expected to be measurable impacts to food sources. Based on the available data, previous monitoring reports from GLBA NP, and studies described in the preamble to the proposed rule, we anticipate that any pinnipeds found in the vicinity of the projects could have short-term behavioral reactions (*i.e.*, may result in marine mammals avoiding

certain areas) due to noise and visual disturbance generated by: (1) Motorboat approaches and departures; (2) motorboat coastal transit; and (3) human presence during gull research activities. We expect pinnipeds to return to a haulout site within minutes to hours of the stimulus based on previous research (Johnson and Acevedo-Gutierrez, 2007; Allen *et al.*, 1985). Pinnipeds may be temporarily displaced from their haulout sites, but we do not expect that the pinnipeds will permanently abandon a haulout site during site monitoring as activities are short in duration (brief transit through an area to up to 2 hours), and previous surveys at GLBA NP have demonstrated that pinnipeds have returned to their haulout sites and have not permanently abandoned the sites.

Marine Mammal Habitat

NMFS does not anticipate that the planned activities in GLBA NP or the SWAN region will result in any measurable effects on the habitats used by the marine mammals in the planned area, including the food sources they use (*i.e.*, fish and invertebrates). The main impact associated with the planned activity will be temporarily elevated noise levels from motorboats and human disturbance on marine mammals potentially leading to temporary displacement from a site, previously discussed in the proposed rule. NPS' LEIS for gull monitoring surveys in GLBA NP concluded that the activities do not result in the loss or modification to marine mammal habitat (NPS 2010). Additionally, any minor habitat alterations stemming from the maintenance of NPS' weather station will be located in an area that will not impact marine mammals. SWAN's activities in KATM and KEFJ do occur in Steller sea lion critical habitat, but will have minimal impact due to the nature of the disturbance and explicit avoidance of the most sensitive areas (rookeries). In all, the activities in both GLBA NP and the SWAN region will not result in any permanent impact on habitats used by marine mammals, including prey species and foraging habitat.

Estimated Take

This section provides an estimate of the number of incidental takes that may be authorized through LOAs issued under this rule, which will inform both NMFS's consideration of whether the number of takes is "small" and the negligible impact determination. During the comment period for the proposed rule, NMFS was made aware that the number of authorized annual takes by Level B harassment for SWAN activities does not adequately account for both summer and winter surveys at each of the KATM, KEFJ, and KBAY sites. As stated in the preamble to the proposed rule, NMFS estimates that 100 harbor seals and 100 Steller sea lions could be disturbed during each survey of KATM and KEFJ. For KBAY, NMFS estimated that 100 harbor seals could be disturbed during each survey, but no Steller sea lions are present at that survey site, so

none would be disturbed. Accordingly, NMFS has increased the authorized annual takes by Level B harassment for SWAN activities to 600 harbor seals and 400 Steller sea lions to account for the 6 authorized surveys each year (1 summer and 1 winter at each of the 3 sites). This is a doubling of the authorized takes by Level B harassment presented in the proposed rule, originally 300 harbor seals and 200 Steller sea lions annually.

Harassment is the only type of take expected to result from these activities. Except with respect to certain activities not pertinent here, section 3(18) of the MMPA defines "harassment" as any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering (Level B harassment).

Authorized takes are by Level B harassment only, in the form of disruption of behavioral patterns for individual marine mammals resulting from exposure to motorboats and the presence of NPS personnel. Based on the nature of the activity and mitigation measures, Level A harassment is neither anticipated nor authorized. As described previously, no mortality is anticipated or authorized for this activity. Below we describe how the take is estimated.

Glacier Bay

In GLBA NP, harbor seals may be disturbed when vessels approach or researchers go ashore for the purpose of monitoring gull colonies and for the maintenance of the Lone Island weather tower. Harbor seals tend to haul out in small numbers at study sites. Using monitoring report data from 2015 to 2017 (see raw data from Tables 1 of the 2017, 2016 and 2015 Monitoring Reports, which are available online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>), the average number of harbor seals per survey visit was calculated to estimate the

approximate number of seals observers are expected to find on any given survey day. As a result, the following averages were determined for each island: Boulder Island—average 3.45 seals, Flapjack Island—average 10.10 seals, Geikie Rock—average 9.58 seals, and Lone Island average of 18.64 seals (reduced from 18.91 as this number stated in the notice of proposed rulemaking was based on an error in monitoring data) (See Table 2). Estimated take for gull and climate monitoring was calculated by multiplying the average number of seals observed during past gull monitoring surveys (2015–2017) by the number of total site visits. As mentioned previously, no take is authorized for visits to South Marble Island or Tlingit Point Islet because the absence of pinnipeds on the relevant portions of the islands and implementation of mitigation measures means no take is expected to occur. This includes five annual visits to Boulder Island, Flapjack Island, and Geikie Rock and eight annual visits to Lone Island (to include three site visits for climate monitoring activities). Therefore, the total estimated annual incidents of harassment equals 265 which totals to 1,325 takes during the entire five years of the planned activities in GLBA NP (See Table 2).

During climate monitoring, which is expected to take place from March to April and October to February, seal numbers are expected to dramatically decline within the action area. Although harbor seal survey data within GLBA NP is lacking for the months of October through February, results from satellite telemetry studies suggest that harbor seals travel extensively beyond the boundaries of GLBA NP during the post-breeding season (September–April) (Womble and Gende, 2013b). Therefore, using the latest observation data from past gull monitoring activities (that occurred from May to September) is applicable when estimating take for climate monitoring activities, as it will provide the most conservative estimates.

¹ See Table 3 in the notice of proposed rulemaking (83 FR 64078, December 13, 2018) for NMFS' three-point scale that categorizes pinniped disturbance reactions by severity. NMFS only considers responses falling into Levels 2 and 3 as harassment (Level B Take) under the MMPA.

TABLE 2—PROPOSED TAKES BY LEVEL B HARASSMENT DURING NPS GULL AND CLIMATE MONITORING SURVEYS

Site proposed for survey	Average number of seals observed per visit ¹	Number of proposed site visits	Proposed Level B harassment ^{1*}	Percentage of population ³
Boulder Island	3.45	5	17.25	0.24
Flapjack Island	10.10	5	50.50	0.70
Geikie Rock	9.58	5	47.90	0.66
Lone Island	18.64	28	149.12	2.06
Annual Total			265	3.68

¹ Data from 2015–2017 NPS gull surveys (NPS 2015b; NPS 2016; NPS 2017).

² Number includes three additional days for climate monitoring activities.

³ Based on the percentage of the Glacier Bay/Icy Strait stock of harbor seals that are proposed to be taken by Level B harassment during the NPS’s proposed gull and climate monitoring activities.

* Values in this column have been adjusted slightly from the proposed rulemaking to correct rounding errors.

SWAN

Harbor seals and Steller sea lions may be disturbed by vessel presence, movement, or noise during the execution of SWAN’s survey transects. The estimated number of takes by Level B harassment included in Table 3 are based on numbers of pinnipeds observed from a similar survey of KATM and KEFJ in 2013. In this survey, researchers observed an estimated 100 harbor seals and 100 Steller sea lions during each of the KATM and KEFJ surveys. Based on these findings, each survey of KBAY is expected to observe 100 harbor seals, but no Steller sea lions because the species is not generally found there. Data from 2013 surveys

were used to estimate take because in 2013, most of the transects were able to be completed. Thus, 2013 data offers the most conservative count-based estimate. Based on pinnipeds observed in 2013, NPS estimates that each year, across the three survey sites, and two seasons of potential sampling, SWAN’s activities will result in take by Level B harassment of 600 harbor seals and 400 Steller sea lions. In total, these figures result in an estimated 3000 harbor seal and 2000 Steller sea lion takes by Level B harassment across the five years. Annually, there would be 400 harbor seal takes by Level B harassment in the Cook Inlet/Shelikof Strait stock (KATM and KBAY surveys), and 200 harbor seal

takes by Level B harassment from the Prince William Sound stock (KEFJ surveys). For Steller sea lion takes by Level B harassment, NPS estimates that 200 individuals will experience take by Level B harassment each year (across summer and winter) in both KATM and KEFJ (400 total), but no takes will occur in KBAY surveys. For simplicity, NMFS assumes and analyzes the impacts of the full Steller sea lion take on both the eastern and western stocks. Because these estimates are based on observations of pinnipeds and not harassments, NMFS considers the estimated numbers of take by Level B harassment presented in Table 3 conservative.

TABLE 3—PROPOSED TAKES BY LEVEL B HARASSMENT DUE TO SWAN’S RESEARCH AND MONITORING ACTIVITIES

Species	Stock	Proposed level B take (annual)	Total level B takes in 5 years	Percentage of population over 1 year ¹
Harbor seal	Cook Inlet/Shelikof Strait	400	2000	1.4
	Prince William Sound	200	1000	0.7
Steller sea lion	Western	2 400	2 2000	2 0.7
	Eastern	2 400	2 2000	2 1.0

¹ Based on the population size of each relevant stock as presented in Table 1.

² NMFS is only proposing to authorize 400 annual (2000 over 5 years) takes by Level B harassment for Steller sea lions, but is analyzing this take as fully coming from each of the U.S. Steller sea lion stocks.

Effects of Specified Activities on Subsistence Uses of Marine Mammals

The availability of the affected marine mammal stocks or species for subsistence uses may be impacted by this activity, though this is not an anticipated outcome. The subsistence uses that may be affected and the potential impacts of the activity on those uses are described below. Measures included in these regulations to reduce the impacts of the activity on subsistence uses are identical to those which minimize disturbance of pinnipeds as described in the *Mitigation* section. Last, the information from this section and the *Mitigation* section is

analyzed to determine whether the necessary findings may be made in the *Unmitigable Adverse Impact Analysis and Determination* section.

Subsistence harvest of pinnipeds is prohibited in GLBA NP, KATM, and KEFJ but it does occur in nearby areas outside park boundaries. Native communities near KBAY, including Homer, Seldovia, Nanwalek, and Port Graham harvested an estimated 32 harbor seals and 3 Steller sea lions in 2007 (Wolfe *et al.* 2009). It is not known exactly where these pinnipeds were harvested but some of them could potentially have been harvested in KBAY. 2007 harvest of both Steller sea

lions and harbor seals was at a low point in June and July when SWAN’s surveys are expected to occur in KBAY. Additionally, the disturbance to pinnipeds caused by NPS’s activities is limited to non-lethal take by Level B harassment and is temporary and short in duration. Because the subsistence harvest is separated in time and space from NPS’s planned activities, and the disturbance should not result in anything other than short term (minutes to hours) avoidance of haulouts, there should be no impacts on subsistence harvest.

Mitigation

In order to issue an incidental take authorization (ITA) under section 101(a)(5)(A) of the MMPA, NMFS must set forth the permissible methods of taking pursuant to such activity, “and other means of effecting the least practicable impact on such species or stock and its habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stock for taking” for certain subsistence uses. NMFS regulations require applicants for ITAs to include information about the availability and feasibility (economic and technological) of equipment, methods, and manner of conducting such activity or other means of effecting the least practicable adverse impact upon the affected species or stocks and their habitat (50 CFR 216.104(a)(11)).

In evaluating how mitigation may or may not be appropriate to ensure the least practicable adverse impact on species or stocks and their habitat, as well as on subsistence uses where applicable, we carefully consider two primary factors:

(1) The manner in which, and the degree to which, the successful implementation of the measure(s) is expected to reduce impacts to marine mammals, marine mammal species or stocks, and their habitat. This considers the nature of the potential adverse impact being mitigated (likelihood, scope, range). It further considers the likelihood that the measure will be effective if implemented (probability of accomplishing the mitigating result if implemented as planned) the likelihood of effective implementation (probability of implementing as planned); and

(2) The practicability of the measures for applicant implementation, which may consider such things as cost, impact on operations, and, in the case of a military readiness activity, personnel safety, practicality of implementation, and impact on the effectiveness of the military readiness activity.

Glacier Bay

NPS has based the mitigation measures for the planned research on the following: (1) Protocols used during previous gull research activities as required by our previous authorizations for these activities; and (2) recommended best practices in Womble *et al.* (2013a); Richardson *et al.* (1995); and Weir and Dolman (2007).

To reduce the potential for disturbance from acoustic and visual stimuli associated with gull and climate monitoring activities within GBLA NP,

NPS will implement the following mitigation measures for marine mammals:

Pre-Survey Monitoring

Before all surveys, the lead NPS biologist will instruct additional survey crew on appropriate conduct when in the vicinity of hauled-out marine mammals. This training shall brief survey personnel on marine mammals (inclusive of identification as needed, *e.g.*, neonates). Prior to deciding to land onshore to conduct gull and climate monitoring, the researchers will use high-powered image stabilizing binoculars from the watercraft to document the number, species, and location of hauled-out marine mammals at each island. The vessels are expected to maintain a distance of 328 to 1,640 ft (100 to 500 m) from the shoreline to allow the researchers to conduct pre-survey monitoring. If offshore predators, harbor seal pups of less than one week of age (*i.e.*, neonates), or Steller sea lions are observed, researchers will follow the protocols for site avoidance discussed below. If neither of these instances occur, researchers will then perform a controlled landing on the survey site.

Site Avoidance

If a harbor seal pup less than one week old (*i.e.*, neonates) or a harbor seal predator (*i.e.*, killer whale) is observed near or within the action area, researchers will not go ashore to conduct gull or climate monitoring activities. Also, if Steller sea lions are observed within or near the study site, researchers will maintain a distance of at least 100 m from the animals at all times.

Controlled Landings

The researchers will determine whether to approach an island study site based on type of animals present. Researchers will approach the island by motorboat at a speed of approximately 2 to 3 knots (2.3 to 3.4 mph). This is expected to provide enough time for any harbor seals present to slowly enter the water without panic (flushing). The researchers will also select a pathway of approach farthest from the hauled-out harbor seals to minimize disturbance.

Minimize Predator Interactions

During pre-survey monitoring on approach to a site, NPS will observe the surrounding area for predators. If the researchers visually observe marine predators (*i.e.*, killer whales) present within a one mile radius of hauled-out marine mammals, the researchers will not approach the study site.

Disturbance Reduction Protocols

While onshore at study sites, the researchers will remain vigilant for hauled-out marine mammals. If marine mammals are present, the researchers will move slowly and use quiet voices to minimize disturbance to the animals present.

Avoidance of Unauthorized Take

While conducting activities at GLBA NP NPS will avoid interaction with marine mammal species that are either not authorized for take (including humpback whales and killer whales) or a species with all authorized takes met. NPS avoidance measures for humpback whales and killer whales will include not operating a motor vessel within $\frac{1}{4}$ nautical mile of these cetaceans. If accidentally positioned within $\frac{1}{4}$ nautical mile of a humpback or killer whale, researchers will slow the vessel speed to 10 knots or less and maintain course away from the marine mammal until at least $\frac{1}{4}$ nautical mile of separation exists. For humpback whales, these avoidance measures are required by regulations (81 FR 62018; September 8, 2016).

SWAN

NPS has based the mitigation measures for SWAN on the following: (1) Protocols used during previous authorizations for similar GLBA NP research; (2) recommended best practices in Womble *et al.* (2013a); Richardson *et al.* (1995); and Weir and Dolman (2007); and (3) experience of SWAN researchers in previous surveys.

To reduce the potential for disturbance from acoustic and visual stimuli associated with SWAN's surveys, NPS will implement the following mitigation measures for marine mammals:

Disturbance Reduction Protocols

While surveying study sites, the researchers will maintain a vessel distance of 100 to 150 m from shorelines at all times. If hauled-out Steller sea lions and harbor seals are observed, the survey will maintain speed and minimum distance from the haulout to avoid startling. Additionally the survey will be attempted from a distance greater than 150 m, if conditions allow proper execution of the survey at that distance.

Rookery Avoidance

SWAN will avoid transects that pass known Steller sea lion rookery beaches in order to minimize disturbance of these rookeries and the surrounding critical habitat.

Avoidance of Unauthorized Take

While conducting SWAN survey activities NPS will avoid interaction with marine mammal species that are either not authorized for take (including humpback whales and beluga whales) or a species with all authorized takes met. NPS avoidance measures for humpback whales and beluga whales will include not operating a motor vessel within $\frac{1}{4}$ nautical mile of these cetaceans. If accidentally positioned within $\frac{1}{4}$ nautical mile of a humpback or beluga whale, researchers will slow the vessel speed to 10 knots or less and maintain course away from the whale until at least $\frac{1}{4}$ nautical mile of separation exists. For humpback whales, these avoidance measures are required by regulations (81 FR 62018; September 8, 2016).

Mitigation Conclusions

Based on our evaluation of the applicant's planned measures, as well as other measures considered by NMFS, NMFS has determined that the planned mitigation measures provide the means of effecting the least practicable impact on marine mammal species or stocks and their habitat, paying particular attention to rookeries, mating grounds, areas of similar significance, and on the availability of such species or stock for subsistence uses.

Monitoring and Reporting

In order to issue an ITA for an activity, section 101(a)(5)(A) of the MMPA states that NMFS must set forth requirements pertaining to the monitoring and reporting of such taking. The MMPA implementing regulations at 50 CFR 216.104 (a)(13) indicate that requests for authorizations must include the suggested means of accomplishing the necessary monitoring and reporting that will result in increased knowledge of the species and of the level of taking or impacts on populations of marine mammals that are expected to be present in the action area. Effective reporting is critical both to compliance as well as ensuring that the most value is obtained from the required monitoring.

Monitoring and reporting requirements prescribed by NMFS should contribute to improved understanding of one or more of the following:

- Occurrence of marine mammal species or stocks in the area in which take is anticipated (e.g., presence, abundance, distribution, density);
- Nature, scope, or context of likely marine mammal exposure to potential stressors/impacts (individual or

cumulative, acute or chronic), through better understanding of: (1) Action or environment (e.g., source characterization, propagation, ambient noise); (2) affected species (e.g., life history, dive patterns); (3) co-occurrence of marine mammal species with the action; or (4) biological or behavioral context of exposure (e.g., age, calving or feeding areas);

- Individual marine mammal responses (behavioral or physiological) to acoustic stressors (acute, chronic, or cumulative), other stressors, or cumulative impacts from multiple stressors;
- How anticipated responses to stressors impact either: (1) Long-term fitness and survival of individual marine mammals; or (2) populations, species, or stocks;
- Effects on marine mammal habitat (e.g., marine mammal prey species, acoustic habitat, or other important physical components of marine mammal habitat); and
- Mitigation and monitoring effectiveness.

SWAN

NPS will conduct marine mammal monitoring during the SWAN activities, in order to implement the mitigation measures that require real-time monitoring and to gain a better understanding of marine mammals and their impacts to the project's activities. Because the activity is a survey of marine birds and mammals in the area, researchers will naturally be monitoring the area for pinnipeds or other marine mammals during all activities. Monitoring activities will consist of conducting and recording observations of pinnipeds within the vicinity of the research areas. The monitoring notes will provide dates, transect location, species, numbers of animals present within the transect, and numbers of pinnipeds that flushed into the water.

The method for recording disturbances follows those in Mortenson (1996). For NPS' activities in the SWAN region, pinniped disturbances will be based on a three-point scale that represents an increasing response to the disturbance. Because SWAN surveys are conducted at speed, researchers will be able to record the total number of each pinniped species observed and the number of Level 3 (Flushing) responses that occur, but not other, less noticeable disturbance responses.

SWAN does not have previous monitoring aimed specifically at recording and quantifying marine mammal disturbance. Similarity between the GLBA NP and SWAN activities for these regulations suggest

mitigation measures based on relevant portions of previous GLBA NP authorizations will provide the means of effecting the least practicable impact on the species or stock in the SWAN activity.

GLBA NP

In the preamble to the proposed regulations, it was stated that NPS will report the number of animals that moved greater than one meter. After consultation with the Commission, NMFS has requested that this criteria for recording a Level 2 disturbance reaction, and associated take by Level B harassment, be updated to a movement greater than two body lengths. This criteria aligns with NMFS's three point scale (see Table 3 in the preamble to the proposed regulations) that categorizes pinniped disturbance reactions by severity and captures what reaction NMFS considers to rise to the level of harassment.

NPS will conduct marine mammal monitoring during the present GLBA NP project, in order to implement the mitigation measures that require real-time monitoring and to gain a better understanding of marine mammals and their impacts to the project's activities. In addition, NPS's monitoring plan is guiding additional monitoring effort designed to answer questions of interest regarding pinniped usage of GLBA NP haulouts and the effects of NPS's activity on these local populations. The researchers will monitor the area for pinnipeds during all research activities. Monitoring activities will consist of conducting and recording observations of pinnipeds within the vicinity of the research areas. The monitoring notes will provide dates, location, species, the researcher's activity, behavioral state, numbers of animals that were alert or moved greater than two body lengths, and numbers of pinnipeds that flushed into the water.

The method for recording disturbances follows those in Mortenson (1996). NPS activities in GLBA NP will record pinniped disturbances on a three-point scale that represents an increasing response to the disturbance. Both a level 2 and level 3 response will be recorded as a take by Level B harassment. NPS will record the time, source, and duration of the disturbance, as well as an estimated distance between the source and haulout.

Previous Monitoring Results

NPS has complied with the monitoring requirements under the previous GLBA NP authorizations. NMFS posted the 2017 report on our website at <https://>

www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities and the results from the previous NPS monitoring reports support our findings that the mitigation measures required under the 2014–2017 Authorizations provide the means of effecting the least practicable impact on the species or stock in the GLBA NP activity. During the last 3 years of GLBA NP activity, approximately a third of all observed harbor seals have flushed in response to these activities (37 percent in 2015, 37 percent in 2016, and 38 percent in 2017). The following narratives provide a detailed account of each of the past 3 years of monitoring for the GLBA NP activity (Summarized in Table 4):

In 2017, of the 86 harbor seals that were observed: 33 flushed in to the water, 0 became alert but did not move >1 m, and 0 moved >1 m but did not flush into the water. In all, no harbor seal pups were observed. On two occasions, harbor seals were flushed into the water when islands were accessed for gull surveys. In these

instances, the vessel approached the island at a very slow speed and most of the harbor seals flushed into the water at approximately 150–185 m. On two events, harbor seals were observed hauled-out on Boulder Island and not disturbed due to their distance from the survey area. In addition, during two pre-monitoring surveys conducted for Lone Island, harbor seals were observed hauled-out and the survey was not conducted to prevent disturbance of harbor seals.

In 2016, of the 216 harbor seals that were observed: 77 flushed in to the water; 3 became alert but did not move >1 m, and 17 moved >1 m but did not flush into the water. On five occasions, harbor seals were flushed into the water when islands were accessed for gull surveys. In these instances, the vessel approached the island at a very slow speed and most of the harbor seals flushed into the water at approximately 50–100 m. In four instances, fewer than 25 harbor seals were present, but in one instance, 41 harbor seals were observed flushing into the water when NPS first saw them as they rounded a point of

land in kayaks accessing Flapjack Island. In five instances, harbor seals were observed hauled-out and not disturbed due to their distance from the survey areas.

In 2015, of the 156 harbor seals that were observed: 57 flushed in to the water; 25 became alert but did not move >1 m, and 0 moved >1 m but did not flush into the water. No pups were observed. On 2 occasions, harbor seals were observed at the study sites in numbers <25 and the islands were accessed for gull surveys. In these instances, the vessel approached the island at very slow speed and most of the harbor seals flushed into water at approximately 200 m (Geikie 8/5/15) and 280 m (Lone, 8/5/15). In one instance, (Lone, 6/11/15) NPS counted 20 harbor seals hauled-out during the initial vessel-based monitoring, but once on the island, NPS observed 33 hauled-out seals. When NPS realized the number of seals present, they ceased the survey and left the area, flushing 13 seals into the water.

TABLE 4—SUMMARY TABLE OF 2015–2017 MONITORING REPORTS FOR NPS GULL STUDIES

Monitoring year	Number of adults observed	Number of pups observed	Flushed into water	Moved >1 m but did not flush	Alert but did not move >1 m	Level B take authorized for activity	Level B take recorded during activities
2017	86	0	33	0	0	218	33
2016	216	1	77	3	17	500	80
2015	156	0	57	0	25	500	57

Coordination

NPS can add to the knowledge of pinnipeds in the action area by noting observations of: (1) Unusual behaviors, numbers, or distributions of pinnipeds, such that any potential follow-up research can be conducted by the appropriate personnel; (2) tag-bearing carcasses of pinnipeds, allowing transmittal of the information to appropriate agencies and personnel; and (3) rare or unusual species of marine mammals for agency follow-up.

Glacier Bay

NPS actively monitors harbor seals at breeding and molting haulout locations to assess trends over time (e.g., Mathews & Pendleton, 2006; Womble *et al.* 2010, Womble and Gende, 2013b). NPS’s monitoring plan is guiding additional monitoring effort designed to answer questions of interest regarding pinniped usage of GLBA NP haulouts and the effects of NPS’s activity on these local populations. This monitoring program involves collaborations with biologists

from the Alaska Department of Fish and Game, and the NMFS Alaska Fisheries Science Center. NPS will continue these collaborations and encourage continued or renewed monitoring of marine mammal species. NPS will coordinate with state and Federal marine mammal biologists to determine what additional data or observations may be useful for monitoring marine mammals and haulouts in GLBA NP. Additionally, NPS will report vessel-based counts of marine mammals, branded, or injured animals, and all observed disturbances to the appropriate state and Federal agencies.

SWAN

While NPS’s main focus is to monitor marine birds in the SWAN region, their survey efforts will incidentally record sightings of marine mammals. This data can add to understanding of pinniped regional distribution and population trends. NPS will also coordinate with state and Federal marine mammal biologists to determine what additional data or observations may be useful to

record for monitoring marine mammals and haulouts in the SWAN survey areas.

SWAN has been conducting nearshore coastal surveys along the KATM and KEFJ since 2006 and 2007, respectively (Coletti *et al.*, 2018). SWAN collaborates closely with U.S. Geological Survey, U.S. Fish and Wildlife Service, the University of Alaska Fairbanks and others under the Gulf Watch Alaska (<https://www.gulfwatchalaska.org/>) program, primarily funded by the Exxon Valdez Oil Spill Trustee Council. SWAN will continue these collaborations and encourage continued or renewed monitoring of marine birds and other incidentally observed species. Additionally, NPS will report vessel-based counts of marine mammals, branded or injured animals, and all observed disturbances to state and Federal agencies.

Reporting

SWAN and GLBA NP are each required to submit separate draft annual reports on all activities and marine mammal monitoring results to NMFS

within ninety days following the end of its monitoring period. These reports will include a summary of the information gathered pursuant to the monitoring requirements set forth in the Authorization. SWAN and GLBA NP will submit final reports to NMFS within 30 days after receiving comments on the draft report. If SWAN or GLBA NP receive no comments from NMFS on the report, NMFS will consider the draft report to be the final report. NPS will also submit a comprehensive 5-year report covering all activities conducted under the incidental take regulations 90 days following expiration of these regulations or, if new regulations are sought, no later than 90 days prior to expiration of the regulations.

Each report will describe the operations conducted and sightings of marine mammals near the project. The report will provide full documentation of methods, results, and interpretation pertaining to all monitoring. The report will provide:

1. A summary and table of the dates, times, and weather during all research activities;
2. Species, number, location, and behavior of any marine mammals observed throughout all monitoring activities;
3. An estimate of the number (by species) of marine mammals exposed to acoustic or visual stimuli associated with the research activities; and
4. A description of the implementation and effectiveness of the monitoring and mitigation measures of the Authorization and full documentation of methods, results, and interpretation pertaining to all monitoring.

In the unanticipated event that the specified activity clearly causes the take of a marine mammal in a manner prohibited by the authorization, such as an injury (Level A harassment), serious injury, or mortality (*e.g.*, vessel-strike, stampede, etc.), NPS shall immediately cease the specified activities and immediately report the incident to the Office of Protected Resources, NMFS and the Alaska Regional Stranding Coordinator. The report must include the following information:

- Time, date, and location (latitude/longitude) of the incident;
- Description and location of the incident (including tide level if applicable);
- Environmental conditions (*e.g.*, wind speed and direction, Beaufort sea state, cloud cover, and visibility);
- Description of all marine mammal observations in the 24 hours preceding the incident;

- Species identification or description of the animal(s) involved;
- Fate of the animal(s); and
- Photographs or video footage of the animal(s) (if equipment is available).

NPS shall not resume its activities until NMFS is able to review the circumstances of the prohibited take. NMFS will work with NPS to determine what is necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. NPS may not resume their activities until notified by us via letter, email, or telephone.

In the event that NPS discovers an injured or dead marine mammal, and the lead researcher determines that the cause of the injury or death is unknown and the death is relatively recent (*i.e.*, in less than a moderate state of decomposition as we describe in the next paragraph), NPS will immediately report the incident to the Office of Protected Resources, NMFS and the Alaska Regional Stranding Coordinator. The report must include the same information identified in the paragraph above. Activities may continue while we review the circumstances of the incident. We will work with NPS to determine whether modifications in the activities are appropriate.

In the event that NPS discovers an injured or dead marine mammal, and the lead visual observer determines that the injury or death is not associated with or related to the authorized activities (*e.g.*, previously wounded animal, carcass with moderate to advanced decomposition, or scavenger damage), NPS will report the incident to the incident to the Office of Protected Resources, NMFS and the Alaska Regional Stranding Coordinator within 24 hours of the discovery. NPS researchers will provide photographs or video footage (if available) or other documentation of the stranded animal sighting to us. NPS can continue their research activities.

Negligible Impact Analysis and Determination

NMFS has defined negligible impact as an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival (50 CFR 216.103). A negligible impact finding is based on the lack of likely adverse effects on annual rates of recruitment or survival (*i.e.*, population-level effects). An estimate of the number of takes alone is not enough information on which to base an impact determination. In addition to considering estimates of the number of

marine mammals that might be “taken” through harassment, NMFS considers other factors, such as the likely nature of any responses (*e.g.*, intensity, duration), the context of any responses (*e.g.*, critical reproductive time or location, migration), as well as effects on habitat, and the likely effectiveness of the mitigation. We also assess the number, intensity, and context of estimated takes by evaluating this information relative to population status. Consistent with the 1989 preamble for NMFS’s implementing regulations (54 FR 40338; September 29, 1989), the impacts from other past and ongoing anthropogenic activities are incorporated into this analysis via their impacts on the environmental baseline (*e.g.*, as reflected in the regulatory status of the species, population size and growth rate where known, ongoing sources of human-caused mortality, or ambient noise levels).

During these activities, harbor seals and Steller sea lions may exhibit behavioral modifications, including temporarily vacating the area during the proposed research and monitoring activities to avoid human and vessel disturbance. However, due to the project’s minimal levels of visual and acoustic disturbance (Level B harassment only), NMFS does not expect NPS’s specified activities to cause long-term behavioral disturbance, abandonment of the haulout area, injury, serious injury, or mortality. In addition, while a portion of these activities are expected to take place in areas of significance for marine mammal feeding, resting, breeding, or pupping, there are no expected adverse impacts on marine mammal habitat as discussed above. Due to the nature, degree, and context of the behavioral harassment anticipated, we do not expect the activities to impact annual rates of recruitment or survival.

NMFS does not expect pinnipeds to permanently abandon any area surveyed by NPS researchers, as is evidenced by continued presence of pinnipeds at the GLBA NP sites during annual gull and climate monitoring. NMFS anticipates that impacts to hauled-out harbor seals and Steller sea lions during NPS’ research and monitoring activities will be behavioral harassment of limited duration (*i.e.*, up to two hours per site visit) and limited intensity (*i.e.*, temporary flushing at most).

In summary and as described above, the following factors primarily support our determination that the impacts resulting from this activity are not expected to adversely affect the species or stock through effects on annual rates of recruitment or survival:

- No mortality is anticipated or authorized;
- The takes from Level B harassment are expected to be due to potential behavioral disturbance;
- The effects of the research activities are expected to be limited to short-term startle responses and localized behavioral changes due to the short and sporadic duration of the research activities;
- The activities will partially take place in areas of significance for marine mammal feeding, resting, breeding, or pupping but due to their nature and duration are expected to not adversely impact marine mammal habitat or deny pinnipeds access to this habitat because of the large availability of alternate haulouts and short-duration of disturbance;
- Anecdotal observations and results from previous monitoring reports show that the pinnipeds returned to the various sites and did not permanently abandon haul-out sites after NPS conducted their research activities; and
- Harbor seals and Steller sea lions may flush into the water despite researchers best efforts to keep calm and quiet around these pinnipeds; however, injury or mortality has never been documented and is not anticipated from flushing events. GLBA NP researchers will approach study sites slowly to provide enough time for any marine mammals present to slowly enter the water without panic. SWAN researchers will attempt to conduct their surveys at a distance which is expected to not result in pinniped disturbance.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total marine mammal take from the proposed activity will have a negligible impact on all affected marine mammal species or stocks.

Based on the analysis contained herein of the likely effects of the specified activity on marine mammals and their habitat, and taking into consideration the implementation of the monitoring and mitigation measures, NMFS finds that the total marine mammal take from the proposed activity will have a negligible impact on all affected marine mammal species or stocks.

Small Numbers Analysis

As noted above, only small numbers of incidental take may be authorized under Section 101(a)(5)(D) of the MMPA for specified activities other than military readiness activities. The MMPA does not define small numbers and so, in practice, where estimated numbers are available, NMFS compares the number of individuals authorized to be taken to the most appropriate estimation of abundance of the relevant species or stock in our determination of whether an authorization is limited to small numbers of marine mammals. Additionally, other qualitative factors

may be considered in the analysis, such as the temporal or spatial scale of the activities.

As mentioned previously, NMFS estimates that NPS' research activities, including gull monitoring, climate monitoring, and marine animal surveys, could potentially affect, by Level B harassment only, two species of marine mammal under our jurisdiction. For harbor seals, this annual take estimate is small relative to the three impacted stocks, ranging from 0.7 to 3.7 percent (See Table 1, Table 2, and Table 3). For Steller sea lions, this annual take estimate is small (400 sea lions) relative to the western stock (0.7 percent) or eastern stock (1.0 percent). In addition to this, there is a high probability in the GLBA NP activities that repetitive takes of the same animal may occur which reduces the percentage of population impacted even further.

Based on the analysis contained herein of the activity (including the mitigation and monitoring measures) and the authorized take of marine mammals, NMFS finds that small numbers of marine mammals will be taken relative to the population size of the affected species or stocks.

Impact on Availability of Affected Species for Taking for Subsistence Uses

There are no relevant subsistence uses of marine mammals implicated by the specified activities in GLBA NP, KATM, or KEFJ. Subsistence harvest is prohibited in these national parks and the nature of the activities means they should not affect any harvest occurring in nearby waters. There is possible pinniped harvest in KBAY, but the timing of the survey is removed from the peak seasons of harvest. Additionally, the disturbance to pinnipeds caused by NPS's activities is limited to non-lethal take by Level B harassment and is temporary and short in duration. Therefore, we have determined that the total taking of affected species or stocks is not expected to have an unmitigable adverse impact on the availability of such species or stocks for taking for subsistence purposes.

National Environmental Policy Act (NEPA)

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action (*i.e.*, the issuance of an incidental take authorization) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in CE B4 of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of these final regulations and subsequent Letters of Authorization qualifies to be categorically excluded from further NEPA review.

Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of incidental take regulations and subsequent LOAs, NMFS consults internally, in this case with the Alaska Regional Office, whenever we propose to authorize take for endangered or threatened species.

NMFS is authorizing take of western DPS Steller sea lions, which are listed under the ESA.

NMFS's Office of Protected Resources has requested initiation of Section 7 consultation with NMFS's Alaska Regional Office for the issuance of this LOA. On March 1, 2019, NMFS Alaska Region issued a Biological Opinion to NMFS Office of Protected Resources, which concluded that the NPS research and monitoring activities are not likely to jeopardize the continued existence of western DPS Steller sea lions or adversely modify critical habitat based on the nature of the activities.

Adaptive Management

The regulations governing the take of marine mammals incidental to NPS research and monitoring activities in GLBA NP and SWAN region contain an adaptive management component.

The reporting requirements associated with this rule are designed to provide NMFS with monitoring data from the previous year to allow consideration of whether any changes are appropriate. The use of adaptive management allows NMFS to consider new information from different sources to determine (with input from NPS regarding practicability) on an annual or biennial basis if mitigation or monitoring measures should be modified (including

additions or deletions). Mitigation measures could be modified if new data suggests that such modifications are expected to have a reasonable likelihood of reducing adverse effects to marine mammals and if the measures are practicable.

NPS's monitoring program (see "Monitoring and Reporting") will be managed adaptively. Changes to the monitoring program may be adopted if they are reasonably likely to better accomplish the MMPA monitoring goals described previously or may better answer the specific questions associated with NPS's monitoring plan.

The following are some of the possible sources of applicable data to be considered through the adaptive management process: (1) Results from monitoring reports, as required by MMPA authorizations; (2) results from general marine mammal and sound research; and (3) any information which reveals that marine mammals may have been taken in a manner, extent, or number not authorized by these regulations or subsequent LOAs.

Classification

Pursuant to the procedures established to implement Executive Order 12866, the Office of Management and Budget has determined that this rule is not significant.

Pursuant to section 605(b) of the Regulatory Flexibility Act (RFA), the Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration at the proposed rule stage that this action will not have a significant economic impact on a substantial number of small entities. NPS is the sole entity that will be subject to the requirements in these regulations, and the NPS is not a small governmental jurisdiction, small organization, or small business, as defined by the RFA. No comments were received on this certification. Accordingly, a regulatory flexibility analysis is not required and none has been prepared.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a currently valid OMB control number. This rule does not contain a COI requirement subject to the provisions of the PRA because the applicant is a Federal agency.

Waiver of Delay in Effective Date

The Assistant Administrator for NMFS has determined that there is good cause under the Administrative Procedure Act (5 U.S.C 553(d)(3)) to waive the 30-day delay in the effective date of this final rule. No individual or entity other than NPS is affected by the provisions of these regulations. NPS has informed NMFS that it requests that this final rule take effect on or by March 1, 2019, to accommodate NPS's research planned to begin March 1, 2019, with its current IHA expiring February 28, 2019, so as to not cause a disruption in planned research and monitoring activities. The request to authorize take for NPS activities in the SWAN region and resulted in delays in receiving a revised and complete application. NMFS was also unable to accommodate the 30-day delay of effectiveness period due to the need for additional time to address public comment and carry out required review, which was delayed by the partial Federal government shutdown in December 2018 and January 2019. The waiver of the 30-day delay of the effective date of the final rule will ensure that the MMPA final rule and LOAs are in place by the time the previous authorization expires. Any delay in finalizing the rule would result in either: (1) A suspension of planned research and monitoring, which would result in lost data and wasted funds; or (2) NPS's procedural non-compliance with the MMPA (should NPS conduct research and monitoring without LOAs), thereby resulting in the potential for unauthorized takes of marine mammals. Moreover, NPS is ready to implement the rule immediately. For these reasons, NMFS finds good cause to waive the 30-day delay in the effective date. In addition, the LOAs allow for authorization of incidental take of marine mammals that would otherwise be prohibited under the statute. Therefore the rule is granting an exception to NPS and relieving restrictions under the MMPA, which is a separate basis for waiving the 30-day effective date for the rule.

List of Subjects in 50 CFR Part 217

Exports, Fish, Imports, Indians, Labeling, Marine mammals, Penalties, Reporting and recordkeeping requirements, Seafood, Transportation.

Dated: March 4, 2019.

Samuel D. Rauch III,

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

For reasons set forth in the preamble, 50 CFR part 217 is amended as follows:

PART 217—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

■ 1. The authority citation for part 217 continues to read as follows:

Authority: 16 U.S.C. 1361 *et seq.*, unless otherwise noted.

■ 2. Add subpart C to part 217 to read as follows:

Subpart C—Taking Marine Mammals Incidental to Research and Monitoring in Southern Alaska National Parks

Sec.

- 217.20 Specified activity and specified geographical region.
- 217.21 Effective dates.
- 217.22 Permissible methods of taking.
- 217.23 Prohibitions.
- 217.24 Mitigation requirements.
- 217.25 Requirements for monitoring and reporting.
- 217.26 Letters of Authorization.
- 217.27 Renewals and modifications of Letters of Authorization.
- 217.28–217.29 [Reserved]

Subpart C—Taking Marine Mammals Incidental to Research and Monitoring in Southern Alaska National Parks

§ 217.20 Specified activity and specified geographical region.

(a) Regulations in this subpart apply only to the National Park Service (NPS) and those persons it authorizes or funds to conduct activities on its behalf for the taking of marine mammals that occurs in the area outlined in paragraph (b) of this section and that occurs incidental to the NPS's research and monitoring activities listed in the Letters of Authorization (LOA).

(b) The taking of marine mammals by NPS may be authorized in an LOA only if it occurs at Glacier Bay National Park (GLBA NP) or in the NPS's Southwest Alaska Inventory and Monitoring Network (SWAN) sites.

§ 217.21 Effective dates.

Regulations in this subpart are effective from March 7, 2019 through February 29, 2024.

§ 217.22 Permissible methods of taking.

Under LOAs issued pursuant to §§ 216.106 of this chapter and 217.26, the Holder of the LOA (hereinafter "NPS") may incidentally, but not intentionally, take marine mammals within the area described in § 217.20(b) by Level B harassment associated with research and monitoring activities, provided the activity is in compliance with all terms, conditions, and requirements of the regulations in this subpart and the appropriate LOA.

§ 217.23 Prohibitions.

Notwithstanding takings contemplated in § 217.20 and authorized by an LOA issued under §§ 216.106 of this chapter and 217.26, no person in connection with the activities described in § 217.20 may:

- (a) Violate, or fail to comply with, the terms, conditions, and requirements of this subpart or an LOA issued under §§ 216.106 of this chapter and 217.26;
- (b) Take any marine mammal not specified in such LOAs;
- (c) Take any marine mammal specified in such LOAs in any manner other than as specified;
- (d) Take a marine mammal specified in such LOAs if NMFS determines such taking results in more than a negligible impact on the species or stocks of such marine mammal; or
- (e) Take a marine mammal specified in such LOAs if NMFS determines such taking results in an unmitigable adverse impact on the species or stock of such marine mammal for taking for subsistence uses.

§ 217.24 Mitigation requirements.

When conducting the activities identified in § 217.20(a), the mitigation measures contained in any LOA issued under §§ 216.106 of this chapter and 217.24 must be implemented. These mitigation measures shall include but are not limited to:

- (a) *General conditions.* (1) A copy of any issued LOA must be in the possession of NPS, its designees, and additional survey crew personnel operating under the authority of the issued LOA;
- (2) Before all surveys, the lead NPS biologist must instruct additional survey crew on appropriate conduct when in the vicinity of hauled-out marine mammals. This training must brief survey personnel on marine mammals (inclusive of identification as needed, e.g., neonates); and
- (3) NPS must avoid interaction with any marine mammal species for which take is not authorized (or any species for which authorized take numbers have been met). For humpback, killer, and beluga whales, NPS must avoid operation of a motor vessel within $\frac{1}{4}$ nautical mile of these cetaceans. If accidentally positioned within $\frac{1}{4}$ nautical mile of these cetaceans, NPS must slow the vessel speed to 10 knots or less and maintain course away from the marine mammal until at least $\frac{1}{4}$ nautical mile of separation exists;

- (b) *Glacier Bay gull and climate monitoring.* (1) On an annual basis, NPS may conduct a maximum of five days of gull monitoring for each survey location listed in the LOA;

- (2) On an annual basis, the NPS may conduct a maximum of three days of activities related to climate monitoring on Lone Island;

- (3) NPS is required to conduct pre-survey monitoring before deciding to access a study site;

- (4) Prior to deciding to land onshore, NPS must use high-powered image stabilizing binoculars before approaching at distances of greater than 500 m (1,640 ft) to determine and document the number, species, and location of hauled-out marine mammals;

- (5) During pre-survey monitoring, vessels must maintain a distance of 328 to 1,640 ft (100 to 500 m) from the shoreline;

- (6) If a harbor seal pup less than one week of age (neonate) is present within or near a study site or a path to a study site, NPS must not access the site nor conduct the study at that time. In addition, if during the activity, a pup less than one week of age is observed, all research activities must conclude for the day;

- (7) NPS must maintain a distance of at least 100 m from any Steller sea lion;

- (8) NPS must perform controlled and slow ingress to islands where harbor seals are present;

- (9) NPS must monitor for offshore predators at the study sites during pre-survey monitoring and must avoid research activities when killer whales (*Orcinus orca*) or other predators are observed within a 1 mile radius; and

- (10) NPS must maintain a quiet working atmosphere, avoid loud noises, and must use hushed voices in the presence of hauled-out pinnipeds; and
- (c) *SWAN marine bird surveys.* (1) On an annual basis, NPS may conduct one summer survey at each location listed in the LOA;

- (2) On an annual basis, the NPS may conduct one winter survey at each location listed in the LOA;

- (3) NPS must maintain a minimum vessel distance of 100 meters from the shoreline at all times while surveying; and

- (4) If hauled out Steller sea lions or harbor seals are observed, NPS must maintain the vessel speed and minimum distance. If survey conditions allow, the survey must be attempted from a distance greater than 150 meters.

§ 217.25 Requirements for monitoring and reporting.

NPS is required to conduct marine mammal monitoring during research and monitoring activities. NPS and/or its designees must record the following for the designated monitoring activity:

- (a) *Glacier Bay gull and climate monitoring.* (1) Species counts (with

numbers of adults/juveniles); and numbers of disturbances, by species and age, according to a three-point scale of intensity;

- (2) Information on the weather, including the tidal state and horizontal visibility;

- (3) The observer will note the presence of any offshore predators (date, time, number, and species); and

- (4) The observer must note unusual behaviors, numbers, or distributions of pinnipeds, such that any potential follow-up research can be conducted by the appropriate personnel; marked or tag-bearing pinnipeds or carcasses, allowing transmittal of the information to appropriate agencies; and any rare or unusual species of marine mammal for agency follow-up. The observer must report that information to NMFS's Alaska Fisheries Science Center and/or the Alaska Department of Fish and Game Marine Mammal Program.

- (b) *SWAN marine bird surveying.* (1) Species counts and numbers of type 3, flushing, disturbances;

- (2) Information on the weather, including the tidal state and horizontal visibility; and

- (3) The observer must note unusual behaviors, numbers, or distributions of pinnipeds, such that any potential follow-up research can be conducted by the appropriate personnel; marked or tag-bearing pinnipeds or carcasses, allowing transmittal of the information to appropriate agencies; and any rare or unusual species of marine mammal for agency follow-up. The observer must report that information to NMFS's Alaska Fisheries Science Center and/or the Alaska Department of Fish and Game Marine Mammal Program.

- (c) *Annual reporting.* NPS must submit separate annual draft reports for GLBA NP and SWAN on all monitoring conducted within ninety calendar days of the completion of annual research and monitoring activities. Final reports for both GLBA NP and SWAN must be prepared and submitted within thirty days following resolution of comments on each draft report from NMFS. This report must contain:

- (1) A summary and table of the dates, times, and weather during all research activities;

- (2) Species, number, location, and behavior of any marine mammals observed throughout all monitoring activities;

- (3) An estimate of the number (by species) of marine mammals exposed to acoustic or visual stimuli associated with the research activities; and

- (4) A description of the implementation and effectiveness of the monitoring and mitigation measures of

the Authorization and full documentation of methods, results, and interpretation pertaining to all monitoring.

(d) *Comprehensive reporting.* NPS must submit a comprehensive 5-year report covering all activities conducted under the incidental take regulations at least 90 days prior to expiration of these regulations if new regulations are sought or 90 days after expiration of regulations.

(e) *Reporting of injured or dead marine mammals.* (1) In the unanticipated event that the activity defined in § 219.20(a) clearly causes the take of a marine mammal in a prohibited manner such as an injury (Level A harassment), serious injury, or mortality, NPS must immediately cease the specified activities and report the incident to the Office of Protected Resources, NMFS, and the Alaska Regional Stranding Coordinator, NMFS. The report must include the following information:

- (i) Time and date of the incident;
- (ii) Description of the incident;
- (iii) Environmental conditions (*e.g.*, wind speed and direction, Beaufort sea state, cloud cover, and visibility);
- (iv) Description of all marine mammal observations and active sound source use in the 24 hours preceding the incident;
- (v) Species identification or description of the animal(s) involved;
- (vi) Fate of the animal(s); and
- (vii) Photographs or video footage of the animal(s);

(2) Activities must not resume until NMFS is able to review the circumstances of the prohibited take. NMFS will work with NPS to determine what measures are necessary to minimize the likelihood of further prohibited take and ensure MMPA compliance. NPS must not resume their activities until notified by NMFS;

(3) In the event that NPS discovers an injured or dead marine mammal, and the lead observer determines that the cause of the injury or death is unknown and the death is relatively recent (*e.g.*, in less than a moderate state of decomposition), NPS must immediately report the incident to the Office of Protected Resources, NMFS, and the Alaska Stranding Coordinator, NMFS. The report must include the same information identified in paragraph (e)(1) of this section. Activities may continue while NMFS reviews the circumstances of the incident. NMFS will work with NPS to determine whether additional mitigation measures or modifications to the activities are appropriate;

(4) In the event that NPS discovers an injured or dead marine mammal and determines that the injury or death is not associated with or related to the activities defined in § 217.20(a) (*e.g.*, previously wounded animal, carcass with moderate to advanced decomposition, scavenger damage), NPS must report the incident to OPR and the Alaska Stranding Coordinator, NMFS, within 24 hours of the discovery. NPS must provide photographs or video footage or other documentation of the stranded animal sighting to NMFS. NPS can continue their research activities; and

(5) Pursuant to paragraphs (e)(2) through (4) of this section, NPS may use discretion in determining what injuries (*i.e.*, nature and severity) are appropriate for reporting. At minimum, NPS must report those injuries considered to be serious (*i.e.*, will likely result in death) or that are likely caused by human interaction (*e.g.*, entanglement, gunshot). Also pursuant to paragraphs (e)(3) and (4) of this section, NPS may use discretion in determining the appropriate vantage point for obtaining photographs of injured/dead marine mammals.

§ 217.26 Letters of Authorization.

(a) To incidentally take marine mammals pursuant to these regulations, NPS must apply for and obtain an LOA.

(b) An LOA, unless suspended or revoked, may be effective for a period of time not to exceed the expiration date of these regulations.

(c) If an LOA expires prior to the expiration date of these regulations, NPS may apply for and obtain a renewal of the LOA.

(d) In the event of projected changes to the activity or to mitigation and monitoring measures required by an LOA, NPS must apply for and obtain a modification of the LOA as described in § 217.27.

(e) The LOA shall set forth:

(1) Permissible methods of incidental taking;

(2) Means of effecting the least practicable adverse impact (*i.e.*, mitigation) on the species, its habitat, and on the availability of the species for subsistence uses; and

(3) Requirements for monitoring and reporting.

(f) Issuance of the LOA shall be based on a determination that the level of taking will be consistent with the findings made for the total taking allowable under these regulations.

(g) Notice of issuance or denial of an LOA shall be published in the **Federal Register** within 30 days of a determination.

§ 217.27 Renewals and modifications of Letters of Authorization.

(a) An LOA issued under §§ 216.106 of this chapter and 217.26 for the activity identified in § 217.20(a) shall be renewed or modified upon request by the applicant, provided that:

(1) The proposed specified activity and mitigation, monitoring, and reporting measures, as well as the anticipated impacts, are the same as those described and analyzed for these regulations (excluding changes made pursuant to the adaptive management provision in paragraph (c)(1) of this section); and

(2) NMFS determines that the mitigation, monitoring, and reporting measures required by the previous LOA under these regulations were implemented.

(b) For an LOA modification or renewal requests by the applicant that include changes to the activity or the mitigation, monitoring, or reporting (excluding changes made pursuant to the adaptive management provision in paragraph (c)(1) of this section) that do not change the findings made for the regulations or result in no more than a minor change in the total estimated number of takes (or distribution by species or years), NMFS may publish a notice of proposed LOA in the **Federal Register**, including the associated analysis of the change, and solicit public comment before issuing the LOA.

(c) An LOA issued under §§ 216.106 of this chapter and 217.26 for the activity identified in § 217.20(a) may be modified by NMFS under the following circumstances:

(1) *Adaptive management.* NMFS may modify (including augment) the existing mitigation, monitoring, or reporting measures (after consulting with NPS regarding the practicability of the modifications) if doing so creates a reasonable likelihood of more effectively accomplishing the goals of the mitigation and monitoring set forth in the preamble for these regulations.

(i) Possible sources of data that could contribute to the decision to modify the mitigation, monitoring, or reporting measures in an LOA:

(A) Results from NPS's monitoring from the previous year(s).

(B) Results from other marine mammal research or studies.

(C) Any information that reveals marine mammals may have been taken in a manner, extent or number not authorized by these regulations or subsequent LOAs.

(ii) If, through adaptive management, the modifications to the mitigation, monitoring, or reporting measures are substantial, NMFS shall publish a notice

of proposed LOA in the **Federal Register** and solicit public comment.

(2) *Emergencies*. If NMFS determines that an emergency exists that poses a significant risk to the well-being of the species or stocks of marine mammals

specified in LOAs issued pursuant to §§ 216.106 of this chapter and 217.26, an LOA may be modified without prior notice or opportunity for public comment. Notice would be published in

the **Federal Register** within thirty days of the action.

§§ 217.28–217.29 [Reserved]

[FR Doc. 2019–04107 Filed 3–6–19; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register

Vol. 84, No. 45

Thursday, March 7, 2019

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 THE TREASURY

Internal Revenue Service

26 CFR Part 20

[REG-106706-18]

RIN 1545-BO72

Estate and Gift Taxes; Difference in the Basic Exclusion Amount; Hearing Cancellation

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Cancellation of notice of public hearing on proposed rulemaking.

SUMMARY: This document cancels a public hearing on proposed regulations addressing the effect of recent legislative changes to the basic exclusive amount used in computing Federal gift and estate taxes.

DATES: The public hearing, originally scheduled for March 13, 2019 at 10 a.m. is cancelled.

FOR FURTHER INFORMATION CONTACT: Regina Johnson of the Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration) at (202) 317-6901 (not a toll-free number).

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking and notice of public hearing that appeared in the **Federal Register** on Friday, November 23, 2018 (83 FR 59343) announced that a public hearing was scheduled March 13, 2019 at 10 a.m. in the IRS Auditorium, Internal Revenue Service Building, 1111 Constitution Avenue NW, Washington, DC. The subject of the public hearing is under sections 2001 and 2010 of the Internal Revenue Code.

The public comment period for these regulations expired on February 21, 2019. The notice of proposed rulemaking and notice of hearing instructed those interested in testifying at the public hearing to submit an outline of the topics to be discussed. The outline of topics to be discussed was due by February 21, 2019. As of

February 21, 2019, no one has requested to speak. Therefore, the public hearing scheduled for March 13, 2019 at 10 a.m. is cancelled.

Martin V. Franks,

Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel. (Procedure and Administration).

[FR Doc. 2019-04140 Filed 3-6-19; 8:45 am]

BILLING CODE 4830-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[MB Docket No.17-317 and 17-105; FCC 18-166]

Electronic Delivery of MVPD Communications; Modernization of Media Regulation Initiative

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (FCC or Commission) seeks comment on whether we should permit Subpart T and privacy notices to be delivered electronically to subscribers via means other than verified email.

DATES: Submit comments on or before April 8, 2019; reply comments on or before April 22, 2019.

ADDRESSES: You may submit comments, identified by MB Docket Nos. 17-105 and 17-317, by any of the following methods:

- *Federal Communications Commission's website:* <http://apps.fcc.gov/ecfs/>. Follow the instructions for submitting comments.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov or phone: 202-418-0530 or TTY: 888-835-5322.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Lyle Elder, Lyle.Elder@fcc.gov, of the Media Bureau, Policy Division (202) 418-2120.

Direct press inquiries to Janice Wise at (202) 418-8165. For additional information concerning the information collection requirements contained in this document, send an email to PRA@fcc.gov or contact Cathy Williams, (202) 418-2918.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Further Notice of Proposed Rulemaking* (FNPRM), FCC 18-166, adopted on November 15, 2018 and released on November 16, 2018, and the Erratum to that FNPRM, adopted on November 30, 2018 and released on December 4, 2018. The full text of these documents is available electronically via the FCC's Electronic Document Management System (EDOCS) website at http://fjallfoss.fcc.gov/edocs_public/ or via the FCC's Electronic Comment Filing System (ECFS) website at <http://fjallfoss.fcc.gov/ecfs2/>. (Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.) This document is also available for public inspection and copying during regular business hours in the FCC Reference Information Center, which is located in Room CY-A257 at FCC Headquarters, 445 12th Street SW, Washington, DC 20554. The Reference Information Center is open to the public Monday through Thursday from 8 a.m. to 4:30 p.m. and Friday from 8 a.m. to 11:30 a.m. The complete text may be purchased from the Commission's copy contractor, 445 12th Street SW, Room CY-B402, Washington, DC 20554. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format), by sending an email to fcc504@fcc.gov or calling the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Synopsis

I. Introduction

1. In this *Further Notice of Proposed Rulemaking* we seek comment on whether we should permit Subpart T and privacy notices to be delivered electronically to subscribers via means other than verified email. Through this proceeding, the Commission continues its efforts to modernize its regulations and reduce unnecessary requirements

that can impede competition and innovation in the media marketplace.¹

2. We seek comment on whether we should permit the Subpart T and privacy notices discussed above to be delivered to subscribers via other electronic means. In the attached *Report and Order*, we conclude that these notices may be delivered by verified email, so long as certain consumer protections are satisfied. Some commenters maintain that we should adopt a wider range of permissible electronic delivery formats.² For example, Charter advocates “using texting to communicate with customers, utilizing the same standard for a verified telephone number as was put in place for email.”³ NCTA similarly suggests that SMS texting to a “verified phone number” and “other forms of messaging,” such as the use of smartphone apps, should be permissible ways to deliver Subpart T notices.⁴ In addition, Verizon asserts that subscriber notices could be made available through an “electronic message center” that is accessible via a subscriber’s television screen.⁵ Although each of these specific alternatives is referenced and supported by at least one commenter, the record in this proceeding provides little evidence regarding how each would work in practice or discussion of what the costs and benefits of these methodologies would be to consumers or cable operators. Accordingly, we seek further input on these alternatives.

3. Would allowing the delivery of Subpart T notices through the use of other electronic means, such as SMS texting, be helpful to subscribers? How

would subscribers be made aware that they would be receiving notices in this manner? Should the subscriber have to affirmatively agree to access these notices through the relevant electronic means? Would allowing additional electronic means increase operator efficiency or decrease the environmental waste associated with paper delivery in a meaningful way? We seek comment generally on the costs and benefits of permitting cable operators more flexibility in how these notices are delivered to their subscribers.

4. With regard to texting, to what extent do cable operators text information to their customers today? Operators should specify what information they text and how they determine which customers receive texts. Should consumers reasonably expect that a cable operator will text them notices simply because they have provided a “verified phone number” to the cable operator? Do cable operators have methods to verify whether a particular phone number is associated with a cell phone whose user accepts text messages? We assume this option would only be viable for subscribers using smartphones. For example, we note that only subscribers with smartphones can click on weblinks that would contain the notices. Is this assumption accurate? If so, how can operators verify that a given number is tied to a smartphone? If a subscriber does not have a smartphone, how would cable operators ensure delivery of required notices? Some notices required under Subpart T, such as the annual notices under § 76.1602(b), are lengthy. Is it reasonable to send such notices in their entirety to cell phones via text? Could any subscriber incur charges for receiving and accessing this information? How is the Telephone Consumer Protection Act implicated by the use of texting as a means of delivering subscriber notices?

5. With regard to other means of electronic delivery, such as the use of smartphone apps or the “electronic message center” suggested by Verizon, to what extent do cable operators use these methods to deliver information to their subscribers today? With respect to notices sent through smartphone apps, how would subscribers be made aware that notices were available to be viewed? If the apps send notices the user’s screen even if the app is closed (“push notifications”), could these be deactivated by the smartphone user? How would subscribers opt out of notices sent to smartphone apps (or know that they might want to do so) if they do not have the smartphone app installed? We seek similar input with

respect to the “electronic message center” proposal. That is, what affirmative steps, if any, would subscribers need to take in order to access the Subpart T information, and would it be reasonably accessible? Finally, if we permitted additional means of electronic delivery, are there any consumer protections that would be necessary or beneficial? If so, what protections should we adopt?

6. *Initial Regulatory Flexibility Analysis.*—As required by the Regulatory Flexibility Act of 1980, as amended (RFA),⁶ the Commission has prepared this present Initial Regulatory Flexibility Analysis (IRFA) concerning the possible significant economic impact on small entities by the policies and rules proposed in the Further Notice of Proposed Rulemaking (FNPRM). Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments provided on the first page of the NPRM. The Commission will send a copy of the FNPRM, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).⁷ In addition, the FNPRM and IRFA (or summaries thereof) will be published in the **Federal Register**.⁸

7. *Need for, and Objectives of, the Proposed Rules.*

8. The Report and Order associated with this item adopts rules that permit cable operators and other MVPDs to send specific consumers notices electronically to a verified email address rather than on paper to a physical address. This FNPRM seeks comment on whether we should adopt additional alternative forms of electronic delivery.

9. *Legal Basis.*

10. The proposed action is authorized pursuant to sections 1, 4(i), 4(j), 325, 338, 624A, 631, 632, and 653 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 325, 338, 544a, 551, 552, and 573.

11. *Description and Estimate of the Number of Small Entities To Which the Proposed Rules Will Apply.*

12. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted.⁹ The

¹ See *Commission Launches Modernization of Media Regulation Initiative*, Public Notice, 32 FCC Rcd 4406 (MB 2017) (initiating a review of rules applicable to media entities to eliminate or modify regulations that are outdated, unnecessary, or unduly burdensome).

² See, e.g., Comcast Nov. 8, 2018 Ex Parte.

³ Charter October 25, 2018 Ex Parte at 2.

⁴ These methodologies may include social media communications, push notifications from smartphone apps, and dedicated third-party messaging programs (which can be used on a variety of platforms). See NCTA Comments at 7 (citing Micah Solomon, *Here’s How The New Wave Of Messaging Has Transformed Customer Service*, *Forbes*, Jan. 18, 2017, available at <https://www.forbes.com/sites/micahsolomon/2017/01/18/heres-how-texting-is-transforming-customer-service-and-customer-support/> and Twilio, *How Consumers Use Messaging Today*, <https://www.twilio.com/learn/commerce-communications/how-consumers-use-messaging> (last visited Nov. 11, 2018)). NCTA also argues that cable operators should be permitted to use any electronic means of delivery that is “reasonably calculated” to reach subscribers. NCTA Comments at 7. As discussed in the *Report and Order*, we reject this broad standard.

⁵ Verizon Comments at 9 (the “electronic message center” is accessed by subscribers “through their in-home equipment. Subscribers can access messages posted in the message center on their TV receivers”).

⁶ See 5 U.S.C. 603. The RFA, see 5 U.S.C. 601–612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Public Law 104–121, Title II, 110 Stat. 857 (1996). The SBREFA was enacted as Title II of the Contract With America Advancement Act of 1996 (CWAAA).

⁷ See 5 U.S.C. 603(a).

⁸ See *id.*

⁹ 5 U.S.C. 603(b)(3).

RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.”¹⁰ In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act.¹¹ A small business concern is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.¹² Below, we provide a description of such small entities, as well as an estimate of the number of such small entities, where feasible.

13. *Cable Companies and Systems (Rate Regulation Standard)*. The Commission has also developed its own small business size standards, for the purpose of cable rate regulation. Under the Commission’s rules, a “small cable company” is one serving 400,000 or fewer subscribers, nationwide.¹³ Industry data indicate that, of 1,076 cable operators nationwide, all but 11 are small under this size standard.¹⁴ In addition, under the Commission’s rules, a “small system” is a cable system serving 15,000 or fewer subscribers.¹⁵ Industry data indicate that, of 6,635 systems nationwide, 5,802 systems have under 10,000 subscribers, and an additional 302 systems have 10,000–19,999 subscribers.¹⁶ Thus, under this second size standard, the Commission believes that most cable systems are small.

14. *Cable System Operators*. The Act also contains a size standard for small

cable system operators, which is “a cable operator that, directly or through an affiliate, serves in the aggregate fewer than 1 percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed \$250,000,000.”¹⁷ The Commission has determined that an operator serving fewer than 677,000 subscribers shall be deemed a small operator, if its annual revenues, when combined with the total annual revenues of all its affiliates, do not exceed \$250 million in the aggregate.¹⁸ Industry data indicate that, of 1,076 cable operators nationwide, all but 10 are small under this size standard.¹⁹ We note that the Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed \$250 million,²⁰ and therefore we are unable to estimate more accurately the number of cable system operators that would qualify as small under this size standard.

15. *Open Video Services*. Open Video Service (OVS) systems provide subscription services.²¹ The open video system framework was established in 1996, and is one of four statutorily recognized options for the provision of video programming services by local exchange carriers.²² The OVS framework provides opportunities for the distribution of video programming other than through cable systems. Because OVS operators provide subscription services,²³ OVS falls within the SBA small business size standard covering cable services, which is “Wired Telecommunications Carriers.”²⁴ The SBA has developed a small business size standard for this

category, which is: All such firms having 1,500 or fewer employees.²⁵ To gauge small business prevalence for the OVS service, the Commission relies on data currently available from the U.S. Census for the year 2012. According to that source, there were 3,117 firms that in 2012 were Wired Telecommunications Carriers. Of these, 3,059 operated with less than 1,000 employees. Based on this data, the majority of these firms can be considered small.²⁶ In addition, we note that the Commission has certified some OVS operators, with some now providing service.²⁷ Broadband service providers (“BSPs”) are currently the only significant holders of OVS certifications or local OVS franchises.²⁸ The Commission does not have financial or employment information regarding the entities authorized to provide OVS, some of which may not yet be operational. Thus, at least some of the OVS operators may qualify as small entities. The Commission further notes that it has certified approximately 45 OVS operators to serve 116 areas, and some of these are currently providing service.²⁹ Affiliates of Residential Communications Network, Inc. (RCN) received approval to operate OVS systems in New York City, Boston, Washington, DC, and other areas. RCN has sufficient revenues to assure that they do not qualify as a small business entity. Little financial information is available for the other entities that are authorized to provide OVS and are not yet operational. Given that some entities authorized to provide OVS service have not yet begun to generate revenues, the Commission concludes that up to 44 OVS operators (those remaining) might qualify as small businesses that may be affected by the rules and policies adopted herein.

16. *Satellite Master Antenna Television (SMATV) Systems, also known as Private Cable Operators (PCOs)*. SMATV systems or PCOs are video distribution facilities that use closed transmission paths without using any public right-of-way. They acquire video programming and distribute it via terrestrial wiring in urban and suburban

¹⁰ *Id.* section 601(6).

¹¹ *Id.* section 601(3) (including by reference the definition of “small-business concern” in 15 U.S.C. 632). Pursuant to 5 U.S.C. 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the **Federal Register**.” 5 U.S.C. 601(3).

¹² 15 U.S.C. 632.

¹³ 47 CFR 76.901(e). The Commission determined that this size standard equates approximately to a size standard of \$100 million or less in annual revenues. *Implementation of Sections of the 1992 Cable Act: Rate Regulation*, Sixth Report and Order and Eleventh Order on Reconsideration, 10 FCC Rcd 7393, 7408 (1995).

¹⁴ These data are derived from: R.R. Bowker, *Broadcasting & Cable Yearbook 2006*, “Top 25 Cable/Satellite Operators,” pages A–8 & C–2 (data current as of June 30, 2005); Warren Communications News, *Television & Cable Factbook 2006*, “Ownership of Cable Systems in the United States,” pages D–1805 to D–1857.

¹⁵ 47 CFR 76.901(c).

¹⁶ Warren Communications News, *Television & Cable Factbook 2008*, “U.S. Cable Systems by Subscriber Size,” page F–2 (data current as of Oct. 2007). The data do not include 851 systems for which classifying data were not available.

¹⁷ 47 U.S.C. 543(m)(2); *see also* 47 CFR 76.901(f) & nn.1–3.

¹⁸ 47 CFR 76.901(f); *see FCC Announces New Subscriber Count for the Definition of Small Cable Operator*, Public Notice, 16 FCC Rcd 2225 (Cable Services Bureau 2001).

¹⁹ These data are derived from R.R. Bowker, *Broadcasting & Cable Yearbook 2006*, “Top 25 Cable/Satellite Operators,” pages A–8 & C–2 (data current as of June 30, 2005); Warren Communications News, *Television & Cable Factbook 2006*, “Ownership of Cable Systems in the United States,” pages D–1805 to D–1857.

²⁰ The Commission does receive such information on a case-by-case basis if a cable operator appeals a local franchise authority’s finding that the operator does not qualify as a small cable operator pursuant to section 76.901(f) of the Commission’s rules.

²¹ *See* 47 U.S.C. 573.

²² 47 U.S.C. 571(a)(3)–(4). *See 13th Annual Report*, 24 FCC Rcd at 606, para. 135.

²³ *See* 47 U.S.C. 573.

²⁴ U.S. Census Bureau, 2012 NAICS Definitions, 517110 Wired Telecommunications Carriers, <http://www.census.gov/naics/2012/def/ND517110.HTM#N517110>.

²⁵ 13 CFR 201.121, NAICS code 517110 (2012).

²⁶ *See* U.S. Census Bureau, Table EC1251SSSZ5, <https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=#none>.

²⁷ A list of OVS certifications may be found at <http://www.fcc.gov/mb/ovs/csovscer.html>.

²⁸ *See 13th Annual Report*, 24 FCC Rcd at 606–07 para. 135. BSPs are newer firms that are building state-of-the-art, facilities-based networks to provide video, voice, and data services over a single network.

²⁹ *See* <http://www.fcc.gov/encyclopedia/current-filings-certification-open-video-systems> (current as of July 2012).

multiple dwelling units such as apartments and condominiums, and commercial multiple tenant units such as hotels and office buildings. SMATV systems or PCOs are now included in the SBA's broad economic census category, "Wired Telecommunications Carriers,"³⁰ which was developed for small wireline firms.³¹ Under this category, the SBA deems a wireline business to be small if it has 1,500 or fewer employees.³² Census data for 2012 indicate that in that year there were 3,117 firms operating businesses as wired telecommunications carriers. Of that 3,117, 3,059 operated with 999 or fewer employees. Based on this data, we estimate that a majority of operators of SMATV/PCO companies were small under the applicable SBA size standard.³³

17. *Direct Broadcast Satellite (DBS) Service.* DBS Service is a nationally distributed subscription service that delivers video and audio programming via satellite to a small parabolic dish antenna at the subscriber's location. DBS is now included in SBA's economic census category "Wired Telecommunications Carriers." The Wired Telecommunications Carriers industry comprises establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired telecommunications networks. Transmission facilities may be based on a single technology or combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution; and wired broadband internet services. By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.³⁴ The SBA determines that a wireline business is small if it has fewer than

1,500 employees.³⁵ Census data for 2012 indicate that 3,117 wireline companies were operational during that year. Of that number, 3,083 operated with fewer than 1,000 employees.³⁶ Based on that data, we conclude that the majority of wireline firms are small under the applicable standard. However, currently only two entities provide DBS service, which requires a great deal of capital for operation: DIRECTV (owned by AT&T) and DISH Network.³⁷ DIRECTV and DISH Network each report annual revenues that are in excess of the threshold for a small business. Accordingly, we must conclude that internally developed FCC data are persuasive that in general DBS service is provided only by large firms.

18. *Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements.*

19. The Commission seeks comment on whether alternative electronic delivery of certain notices to subscribers will reduce the costs and burdens on MVPDs of providing such notices. We anticipate that adoption of any additional options will result in no increase to the reporting, recordkeeping, or other compliance requirements of MVPDs, including small entities.

20. *Steps Taken to Minimize Significant Economic Impact on Small Entities and Significant Alternatives Considered.*

21. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): "(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities; (3) the use of performance, rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities."³⁸

22. The Commission expects to more fully consider the economic impact on small entities following its review of comments filed in response to the

FNPRM and this IRFA. The Commission has found that electronic delivery of notices greatly eases the burden of complying with notification requirements for MVPDs, including small MVPDs, and there is no evidence that adoption of alternative electronic means of communication would result in any increase of that lowered burden. The Commission's evaluation of the comments filed on this topic will shape the final conclusions it reaches, the final significant alternatives it considers, and the actions it ultimately takes in this proceeding to minimize any significant economic impact that may occur on small entities.

23. *Federal Rules that May Duplicate, Overlap, or Conflict With the Proposed Rule*

24. None.

25. *Initial Paperwork Reduction Act Analysis*—This document contains proposed information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in this document, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4), the Commission seeks specific comment on how it might "further reduce the information collection burden for small business concerns with fewer than 25 employees."

26. *Ex Parte Rules—Permit-But-Disclose.* This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³⁹ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter

³⁰ See 13 CFR 121.201, NAICS code 517110 (2012).

³¹ Although SMATV systems often use DBS video programming as part of their service package to subscribers, they are not included in section 340's definition of "satellite carrier." See 47 U.S.C. 340(i)(1) and 338(k)(3); 17 U.S.C. 119(d)(6).

³² 13 CFR 121.201, NAICS code 517110 (2012).

³³ U.S. Census Bureau, Table EC1251SSSZ5, <https://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=#none>.

³⁴ See U.S. Census Bureau, 2012 NAICS Definitions, "517110 Wired Telecommunications Carriers," <http://www.census.gov/cgi-bin/sssd/naics/naicsrch>.

³⁵ NAICS Code 517110; 13 CFR 121.201.

³⁶ See U.S. Census Bureau, Table No. EC1251SSSZ4, *Information: Subject Series—Establishment & Firm Size: Employment Size of Firms for the U.S.: 2012; 2012 Economic Census of the United States*, http://factfinder.census.gov/faces/tableservices.jspx/pages/productview.xhtml?pid+ECN_2012_US1SSSZ4&prodType=table.

³⁷ See *Annual Assessment of the Status of Competition in the Market for Delivery of Video Programming*, MB Docket No. 12–203, Fifteenth Report, 28 FCC Rcd 10496, 10507, para. 27 (2013).

³⁸ 5 U.S.C. 603(c)(1)–(4).

³⁹ 47 CFR 1.1200 *et seq.*

may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

27. Filing Comments and Replies—Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415 and 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments may be filed electronically using the internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street SW, TW-A325, Washington, DC 20554. The filing hours are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of *before* entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW, Washington, DC 20554.

28. Availability of Documents—Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street SW, CY-A257, Washington, DC 20554. These documents will also be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

29. People with Disabilities—To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the FCC's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

30. It is ordered that, pursuant to the authority found in sections 1, 4(i), 4(j), 325, 338, 624A, 631, 632, and 653 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 325, 338, 544a, 551, 552, and 573 this Notice of Proposed Rulemaking is adopted.

31. It is further ordered that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, shall send a copy of this Further Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analyses, to the Chief Counsel for Advocacy of the Small Business Administration.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2019-04142 Filed 3-6-19; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 190205076-9168-01]

RIN 0648-BI71

Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2019 and 2020 Sector Operations Plans and 2019 Allocation of Northeast Multispecies Annual Catch Entitlements

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

ACTION: Proposed rule.

SUMMARY: We propose to approve Northeast multispecies sector operations plans and grant regulatory exemptions for fishing years 2019 and 2020, approve the formation of a new sector, and provide preliminary annual catch entitlements to approved sectors for fishing year 2019. Approval of sector operations plans and contracts is necessary to allocate annual catch entitlements to the sectors and for the sectors to operate. This action is intended to allow limited access permit holders to form sectors, as authorized under the Northeast Multispecies Fishery Management Plan, and to exempt them from certain effort control regulations to improve the efficiency and economics of sector vessels.

DATES: Written comments must be received on or before March 22, 2019.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2018-0139, by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0139, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Claire Fitz-Gerald, 55 Great Republic Drive, Gloucester, MA 01930.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying

information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

Copies of each sector's final operations plan and contract are available from the NMFS Greater Atlantic Regional Fisheries Office: Michael Pentony, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930. These documents are also accessible via the Federal eRulemaking Portal: <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Claire Fitz-Gerald, Fishery Management Specialist, (978) 281-9255. To review **Federal Register** documents referenced in this rule, you can visit: <http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/multispecies>.

SUPPLEMENTARY INFORMATION:

Background

The Northeast Multispecies Fishery Management Plan (FMP) defines a sector as "[a] group of persons (three or more persons, none of whom have an ownership interest in the other two persons in the sector) holding limited access vessel permits who have voluntarily entered into a contract and agree to certain fishing restrictions for a specified period of time, and which has been granted a TAC(s) [*sic*] in order to achieve objectives consistent with applicable FMP goals and objectives." Sectors are self-selecting, meaning each sector can choose its members.

The Northeast multispecies sector management system allocates a portion of the Northeast multispecies stocks to each sector. These annual sector allocations are known as annual catch entitlements (ACE) and are based on the collective fishing history of a sector's members. Sectors may receive allocations of large-mesh Northeast multispecies stocks with the exception of Atlantic halibut, windowpane flounder, Atlantic wolffish, and ocean pout, which are non-allocated species managed under separate effort controls. ACEs are portions of a stock's annual catch limit (ACL) available to commercial Northeast multispecies vessels. A sector determines how to harvest its ACE.

Because sectors elect to receive an allocation under a quota-based system, the FMP grants sector vessels several "universal" exemptions from the FMP's effort controls. These universal

exemptions apply to: Trip limits on allocated stocks; Northeast multispecies days-at-sea (DAS) restrictions; the requirement to use a 6.5-inch (16.5-cm) mesh codend when fishing with selective gear on Georges Bank (GB); portions of the Gulf of Maine (GOM) Cod Protection Closures; and the at-sea monitoring (ASM) coverage requirement for sector vessels fishing exclusively in the Southern New England (SNE) and Inshore GB Broad Stock Areas (BSA) with extra-large mesh gillnets (10-inch [25.4-cm] or greater). The FMP prohibits sectors from requesting exemptions from permitting restrictions, gear restrictions designed to minimize habitat impacts, and most reporting requirements.

In addition to the approved sectors, there are several state-operated permit banks, which receive allocations based on the history of the permits owned by the states. The final rule implementing Amendment 17 to the FMP allowed a state-operated permit bank to receive an allocation without needing to comply with the administrative and procedural requirements for sectors (77 FR 16942; March 23, 2012). Instead, permit banks are required to submit a list of participating permits to us, as specified in the permit bank's Memorandum of Agreement, to determine the ACE allocated to the permit bank. These allocations may be leased to fishermen enrolled in sectors. Although state-operated permit banks are no longer approved through the sector approval process, they are included in this discussion of allocations because they contribute to the total allocation under the sector system.

We received operations plans and preliminary contracts for fishing years 2019 and 2020 from 20 sectors. The operations plans are similar to operations plans and contracts previously approved for prior fishing years. We have made a preliminary determination that the 20 sector operations plans and contracts that we received, and the 19 regulatory exemptions requested, are consistent with the FMP's goals and objectives, and meet sector requirements outlined in the regulations at § 648.87. Copies of the operations plans and contracts, and the environmental assessment (EA), are available at: <http://www.regulations.gov> and from NMFS (see **ADDRESSES**).

Default Catch Limits for Fishing Year 2019

Last year, Framework 57 set fishing year 2019 catch limits for all groundfish stocks (83 FR 18985; May 1, 2018). The 2019 catch limits for most stocks remain the same as, or similar, to 2018 limits.

Framework 57 did not, however, specify a 2019 catch limit for Eastern GB cod. Eastern GB cod is a management unit of the GB cod stock that is jointly managed with Canada, and the shared quota is set annually.

This year, in Framework 58, the Council adopted revised 2019 catch limits for GB cod, GB haddock, GB yellowtail, witch flounder, GB winter flounder, GOM winter flounder, and Atlantic halibut. We are working to publish a proposed rule to request comments on the Framework 58 measures. Due to the 35-day Federal government shutdown resulting from a lapse in appropriations, there will be a delay in the rulemaking process for Framework 58, and it will not be possible to implement these measures in time for May 1, 2019.

As a result, this rule announces the 2019 catch limits set in Framework 57 that would be effective on May 1, 2019, including preliminary sector and common pool allocations based on final 2018 fishing year rosters (Table 1). If Framework 58 is approved, the 2019 catch limits announced in this rule for GB cod, GB haddock, GB yellowtail, witch flounder, GB winter flounder, GOM winter flounder, and Atlantic halibut will change. This rule also sets a default catch limit for Eastern GB cod. The groundfish regulations require default catch limits for any stock for which final specifications are not in place by the beginning of the fishing year on May 1. The FMP's default specifications provision sets catch at 35 percent of the previous year's (2018) catch limits beginning on May 1 through July 31, or until the final rule for Framework 58 is implemented if prior to July 31.

In Framework 58, the Council recommended a total ACL of 103 mt for GB yellowtail flounder in fishing year 2019. This is a 64-percent decrease from the fishing year 2019 ACL previously set in Framework 57, and a 50-percent decrease from the fishing year 2018 ACL. The Council also revised the fishing year 2019 ACL for GB cod to 1,741 mt. This a 14-percent increase from the fishing year 2018 ACL, but a 20-percent decrease from the fishing year 2019 ACL previously set in Framework 57. The adjustments are based on the recommendation of the Transboundary Management Guidance Committee, which is the joint U.S./Canada management body that meets annually to recommend shared quotas for the three transboundary stocks. These recommendations will be further discussed in the Framework 58 proposed rule. We are highlighting these changes in this rule because the GB

yellowtail flounder and GB cod sector allocations proposed in this rule are based on the higher 2019 catch limits previously approved in Framework 57. If the Council's recommended catch limits become final with no changes,

ACE for these stocks will be reduced when Framework 58 is implemented.

Framework 58 would also adjust the GOM cod catch limits for commercial groundfish vessels. The sector sub-ACL for GOM cod would be reduced by 28.8

mt for fishing year 2019. This adjustment is required because the total ACL was exceeded in fishing year 2017. Therefore, sectors' ACE will be reduced when Framework 58 is implemented compared to their May 1 allocations.

TABLE 1—NORTHEAST MULTISPECIES CATCH LIMITS FOR 2019

Stock	Total ACL	Groundfish sub-ACL	Preliminary sector sub-ACL	Preliminary common pool sub-ACL	Recreational sub-ACL	Midwater trawl fishery	Scallop fishery	Small-mesh fisheries	State waters sub-component	Other sub-component
GB Cod*	1,519	1,360	1,333	28					16	143
GOM Cod*	666	610	378	12	220				47	9
GB Haddock*	46,312	44,659	44,340	319		680			487	487
GOM Haddock	11,803	11,506	8,219	93	3,194	116			91	91
GB Yellowtail Flounder*	291	239	235	4			47	6	0	0
SNE/MA Yellowtail Flounder	66	32	26	6			15		2	17
CC/GOM Yellowtail Flounder	490	398	381	17					51	41
American Plaice	1,532	1,467	1,442	26					32	32
Witch Flounder*	948	849	831	18					40	60
GB Winter Flounder*	787	731	725	6					0	57
GOM Winter Flounder*	428	357	339	18					67	4
SNE/MA Winter Flounder	700	518	456	62					73	109
Redfish	11,208	10,972	10,921	51					118	118
White Hake	2,794	2,735	2,715	21					29	29
Pollock	38,204	37,400	37,170	230					402	402
N. Windowpane Flounder	86	63		63			18		2	3
S. Windowpane Flounder	457	53		53			158		28	218
Ocean Pout	120	94		94					3	23
Atlantic Halibut*	100	77		77					21	2
Atlantic Wolffish	84	82		82					1	1

* Catch limit will be replaced when the final rule for Framework 58 becomes effective.

Formation of a New Sector

This action proposes to approve the formation of a new sector, Mooncusser Sector, for operation beginning in the 2019 fishing year. We have preliminarily determined that the sector operations plan and preliminary contract submitted by Mooncusser Sector contains the required provisions for operations. The request to form the sector went through the new approval process established in Framework 55 (81 FR 26412; May 2, 2016). As required by the FMP, we consulted with the New England Fishery Management Council on the formation of this new sector. At its January 2019 meeting, the Council reviewed the sector's proposed operations plan and preliminary contract and recommended that we approve the new sector.

Sector Allocations

The sector allocations proposed in this rule are based on the 2019 catch limits established in Framework 57 and final fishing year 2018 sector rosters. Due to the 35-day partial Federal government shutdown resulting from a lack of appropriations, there was a delay in distributing the annual letter describing each vessel's potential contribution to a sector's quota for the upcoming fishing year, and the deadline to enroll in a sector is set for March 8,

2019, although sectors may set a more restrictive deadline for their members. Thus, we are using fishing year 2018 rosters as a proxy for fishing year 2019 sector membership and to calculate the fishing year 2019 projected allocations in this proposed rule.

Any permits that change ownership after December 1, 2018, retain the ability to join a sector through April 30, 2019. All permits enrolled in a sector, and the vessels associated with those permits, have until April 30, 2019, to withdraw from a sector and fish in the common pool for fishing year 2019. For fishing year 2020, we will set similar roster deadlines, notify permit holders of the fishing year 2020 deadlines, and allow permit holders to change sectors separate from the annual sector operations plans approval process.

We calculate the sector's allocation for each stock by summing its members' potential sector contributions (PSC) for a stock and then multiplying that total percentage by the available commercial sub-ACL for that stock. Table 2 shows the projected total fishing year 2019 PSC by stock for the 18 sectors approved to operate in fishing year 2018 that submitted operations plans for 2019. Tables 3 and 4 show the initial allocations that each sector would be allocated for fishing year 2019 based on their final fishing year 2018 rosters. At

the start of the 2019 fishing year, we provide final allocations, to the nearest pound, to each sector based on their final May 1 rosters. We use these final allocations, along with later adjustments for ACE transfers, reductions for overages, or increases for carryover from fishing year 2018, to monitor sector catch. We have included the common pool sub-ACLs in tables 2 through 4 for comparison.

These tables do not represent the final allocations for the 2019 fishing year. Northeast Fishery Sector IX (NEFS 9) was approved for operation in fishing year 2018. However, NEFS 9 did not submit an operations plan and will not operate in fishing year 2019. As a result, NEFS 9 is not included in these tables and the permits enrolled in NEFS 9 for fishing year 2018 are excluded from tables 2 through 4. We expect the permits enrolled in NEFS 9 for fishing year 2018 to enroll in a different sector or join the common pool for fishing year 2019. ACE attributable to those permits will be allocated to whichever sector(s) those permits enroll in for 2019, or to the common pool.

We also cannot calculate ACEs for the GB Cod Hook Gear and Mooncusser sectors until they submit their preliminary rosters. We do not have roster data for these sectors because they did not operate in fishing year 2018. GB

Cod Hook Gear and Mooncusser sectors' 2019 rosters will include permits currently enrolled in other sectors or fishing in the common pool, and these two sectors' final ACE allocations will be based on the PSC of their enrolled permits.

We do not assign a permit separate PSCs for Eastern GB cod or Eastern GB haddock; instead, we assign each permit a PSC for the GB cod stock and GB haddock stock. Each sector's GB cod and GB haddock allocations are then divided into an Eastern ACE and a Western ACE, based on each sector's percentage of the GB cod and GB haddock ACLs. For example, if a sector is allocated 4 percent of the GB cod ACL and 6 percent of the GB haddock ACL, the sector is allocated 4 percent of the

commercial Eastern U.S./Canada Area GB cod total allowable catch (TAC) and 6 percent of the commercial Eastern U.S./Canada Area GB haddock TAC as its Eastern GB cod and haddock ACEs. These amounts are then subtracted from the sector's overall GB cod and haddock allocations to determine its Western GB cod and haddock ACEs. A sector may only harvest its Eastern GB cod and haddock ACEs in the Eastern U.S./Canada Area, but may "convert," or transfer, its Eastern GB cod or haddock allocation into Western GB allocation and fish that converted ACE outside the Eastern GB area.

At the start of fishing year 2019, we may withhold 20 percent of each sector's fishing year 2019 allocation until we finalize fishing year 2018 catch

information. We expect to finalize 2018 catch information in summer 2019. We will allow sectors to transfer fishing year 2018 ACE for 2 weeks upon our completion of year-end catch accounting to reduce or eliminate any fishing year 2018 overages. If necessary, we will reduce any sector's fishing year 2019 allocation to account for a remaining overage in fishing year 2018. We will follow the same process for fishing year 2020. Each year of the operations plans, we will notify the Council and sector managers of this deadline in writing and will announce our final ACE determination on our website at: <http://www.greateratlantic.fisheries.noaa.gov/>.

Table 2. Cumulative PSC (percentage) each sector would receive by stock for fishing year 2019.*

Sector Name	MRI Count	GB Cod	GOM Cod	GB Haddock	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
Fixed Gear Sector/FGS	119	28.68839985	4.12625518	6.54866590	3.24603755	0.853333960	0.89967521	4.55799306	1.33165866	2.90000167	0.08257843	15.12261536	2.84414589	3.34953348	6.96250873	9.26177957
Maine Coast Community Sector	66	1.15765521	9.56287656	1.21605339	6.40985694	1.67932801	1.32326281	2.96730168	10.39289727	7.84365739	0.72808370	2.71794899	1.51750394	6.20232718	10.64421885	10.81953974
Maine Permit Bank	11	0.13359766	1.15324184	0.04432773	1.12448491	0.01377700	0.03180706	0.31772260	1.16406980	0.72688210	0.00021716	0.42641581	0.01789059	0.82182550	1.65305822	1.69448029
NCSS	30	0.17529093	1.07736038	0.13321773	0.57529500	0.00556088	0.21470121	0.55735283	0.13671890	0.14852014	0.02683065	1.02778496	0.33961160	0.45601186	0.82118992	0.47500018
NEFS 1	3	0.00000000	0.02469769	0.00000000	0.00036846	0.00000693	0.00000024	0.01033787	0.01351914	0.00234629	0.00000077	0.00401763	0.00000026	0.00000000	0.00000000	0.00003558
NEFS 2	103	6.24836053	21.39085200	10.68919551	19.12197347	1.90723759	1.88486646	22.30345041	10.65024030	14.31713966	3.21694561	21.83006160	4.03301832	15.02294593	7.62113361	12.62453238
NEFS 3	38	0.34031184	6.99754109	0.02782884	4.64947475	0.00228686	0.00117388	3.49772953	0.74752457	0.59767457	0.00337750	4.02920616	0.29554691	0.57529987	2.06647596	2.73481092
NEFS 4	51	4.16480360	10.62319132	5.35062798	8.61181488	2.16156194	2.26122424	6.05978122	9.38858551	8.70615590	0.69179850	6.95881763	0.86864063	6.72243130	8.08918995	6.35807286
NEFS 5	25	0.48052287	0.00068019	0.81554774	0.00357875	1.27619540	21.07477407	0.20605826	0.43243499	0.56259776	0.43636908	0.01753506	12.10783894	0.01454490	0.09444524	0.04250377
NEFS 6	23	2.88587981	2.96260461	2.93199915	3.84703872	2.70263563	5.36358473	3.73711540	3.89825722	5.21028896	1.51084518	4.56676863	1.96788440	5.31716915	3.91665986	3.30795891
NEFS 7	56	13.20690936	3.01910742	11.26852074	7.40318927	25.51455363	8.53317090	10.56678060	9.61237901	9.33559754	33.29143002	2.94812549	17.56207970	9.05128922	6.37760021	6.34572004
NEFS 8	34	7.52469087	0.82300411	7.24866512	0.56859828	13.69276769	7.87426084	4.82541575	2.88087676	3.41526459	21.62046936	2.92895959	10.13748261	0.86082478	1.02480812	1.07566704
NEFS 9	3	0.03628597	0.00000000	0.02597655	0.00000000	0.02755011	0.00000000	0.01188565	0.00132102	0.00000000	0.08836205	0.00000000	0.01078957	0.00000000	0.00000000	0.00074893
NEFS 10	29	0.52579929	2.46705188	0.17673207	1.28201173	0.00114846	0.54787147	4.27769586	1.08109541	2.04601615	0.01083152	9.10145349	0.60102079	0.33489609	0.65458084	0.76311145
NEFS 11	50	0.40522591	12.45071140	0.03721984	3.08806809	0.00149970	0.01949288	2.52266828	2.08103409	1.98248023	0.00330849	2.13300702	0.02152272	1.96476192	4.72884917	9.02442624
NEFS 12	18	0.62869077	2.86585915	0.09374415	1.01352490	0.00042969	0.01049524	7.83159786	0.50289507	0.56772907	0.00043898	7.53600858	0.21702138	0.22671770	0.28117217	0.77511382
NEFS 13	62	12.18321777	0.90970919	20.11363366	1.05216166	34.49944104	21.02740370	8.84077703	8.48479097	9.29874478	17.82190596	3.05173593	16.60359375	4.28319288	2.14963722	2.62058433
New Hampshire Permit Bank	4	0.00082208	1.14350413	0.00003406	0.03234651	0.00002026	0.00001788	0.02179244	0.02847769	0.00615968	0.00000324	0.06067478	0.00003630	0.01940054	0.08129901	0.11131416
Sustainable Harvest Sector 1	19	2.10261792	3.14897265	2.39196971	3.86043539	0.96052938	0.08973562	3.13554444	4.82191323	3.71956670	5.71593741	4.51028179	0.54868599	4.24301547	4.34623536	2.78878579
Sustainable Harvest Sector 2	29	1.15653598	4.59750278	0.80803729	3.24806931	2.23449302	2.20056496	1.06382555	4.91086902	3.01367488	0.46607499	1.45130602	1.10380985	3.73312912	7.13613386	6.57699124
Sustainable Harvest Sector 3	62	15.92449024	7.60631203	29.36434222	29.74499485	10.94736882	7.33823616	8.41660054	25.67361864	23.40387578	13.46526402	4.63938301	17.27118672	36.33428831	30.59905750	21.98401454
Common Pool	499	2.02989154	3.04896442	0.71366064	1.11667657	1.51826234	19.30332244	4.27117314	1.76482273	2.16562617	0.81892736	4.93789247	11.93068915	0.46639478	0.75174622	0.61480822

* The data in this table are based on final fishing year 2018 sector rosters. The table does not provide an allocation for GB Cod Hook Gear and Mooncusser, which did not operate in 2018. The table excludes permits enrolled in NEFS 9 for fishing year 2018, because NEFS 9 will not operate in 2019. Therefore, the values for some stocks do not sum to 100 percent.

Table 3. ACE (in 1,000 lbs), by stock, for each sector for fishing year 2019.*#^

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	57	803	35	2,252	4,195	595	4	1	40	43	54	1	119	32	810	420	7,637
MCCS	2	32	82	418	779	1,175	9	1	26	336	147	12	21	17	1,500	642	8,921
MPB	0	4	10	15	28	206	0	0	3	38	14	0	3	0	199	100	1,397
NCCS	0	5	9	46	85	105	0	0	5	4	3	0	8	4	110	50	392
NEFS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 2	12	175	184	3,676	6,848	3,504	10	1	196	345	268	52	172	46	3,634	460	10,409
NEFS 3	1	10	60	10	18	852	0	0	31	24	11	0	32	3	139	125	2,255
NEFS 4	8	117	91	1,840	3,428	1,578	11	2	53	304	163	11	55	10	1,626	488	5,242
NEFS 5	1	13	0	280	522	1	7	15	2	14	11	7	0	138	4	6	35
NEFS 6	6	81	25	1,008	1,878	705	14	4	33	126	98	24	36	22	1,286	236	2,728
NEFS 7	26	370	26	3,875	7,219	1,357	134	6	93	311	175	536	23	201	2,189	385	5,232
NEFS 8	15	211	7	2,493	4,644	104	72	6	42	93	64	348	23	116	208	62	887
NEFS 10	1	15	21	61	113	235	0	0	38	35	38	0	72	7	81	39	629
NEFS 11	1	11	107	13	24	566	0	0	22	67	37	0	17	0	475	285	7,441
NEFS 12	1	18	25	32	60	186	0	0	69	16	11	0	59	2	55	17	639
NEFS 13	24	341	8	6,918	12,885	193	181	15	78	274	174	287	24	190	1,036	130	2,161
NHPB	0	0	10	0	0	6	0	0	0	1	0	0	0	0	5	5	92
SHS 1	4	59	27	823	1,532	707	5	0	28	156	70	92	35	6	1,026	262	2,299
SHS 2	2	32	39	278	518	595	12	2	9	159	56	8	11	13	903	430	5,423
SHS 3	32	446	65	10,099	18,812	5,451	58	5	74	831	438	217	36	197	8,789	1,845	18,127
Common Pool	4	57	26	245	457	205	8	14	37	57	41	13	39	136	113	45	507

Sector Total	194	2,744	833	34,147	63,606	18,120	518	57	840	3,178	1,831	1,598	748	1,006	24,076	5,985	81,946
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* The data in this table are based on final fishing year 2018 sector rosters. The table does not provide an allocation for GB Cod Hook Gear and Mooncusser, which did not operate in 2018. The table excludes permits enrolled in NEFS 9 for fishing year 2018, because NEFS 9 will not operate in 2019. Therefore, the values for some stocks do not sum to 100 percent.

^aNumbers are rounded to the nearest thousand pounds. In some cases, this table shows an allocation of 0, but that sector may be allocated a small amount of that stock in tens or hundreds pounds.

[^]The data in the table represent the total allocations to each sector.

Table 4. ACE (in metric tons), by stock, for each sector for fishing year 2019.*#^

Sector Name	GB Cod East	GB Cod West	GOM Cod	GB Haddock East	GB Haddock West	GOM Haddock	GB Yellowtail Flounder	SNE/MA Yellowtail Flounder	CC/GOM Yellowtail Flounder	Plaice	Witch Flounder	GB Winter Flounder	GOM Winter Flounder	SNE/MA Winter Flounder	Redfish	White Hake	Pollock
FGS	26	364	16	1,022	1,903	270	2	0	18	20	25	1	54	15	368	190	3,464
MCCS	1	15	37	190	353	533	4	0	12	153	67	5	10	8	681	291	4,047
MPB	0	2	4	7	13	93	0	0	1	17	6	0	2	0	90	45	634
NCCS	0	2	4	21	39	48	0	0	2	2	1	0	4	2	50	22	178
NEFS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEFS 2	6	79	83	1,668	3,106	1,589	5	1	89	156	122	24	78	21	1,648	208	4,722
NEFS 3	0	4	27	4	8	386	0	0	14	11	5	0	14	2	63	57	1,023
NEFS 4	4	53	41	835	1,555	716	5	1	24	138	74	5	25	4	738	221	2,378
NEFS 5	0	6	0	127	237	0	3	7	1	6	5	3	0	63	2	3	16
NEFS 6	3	37	12	457	852	320	6	2	15	57	44	11	16	10	583	107	1,237
NEFS 7	12	168	12	1,758	3,274	615	61	3	42	141	79	243	11	91	993	174	2,373
NEFS 8	7	96	3	1,131	2,106	47	33	3	19	42	29	158	10	53	94	28	402
NEFS 10	0	7	10	28	51	107	0	0	17	16	17	0	32	3	37	18	285
NEFS 11	0	5	49	6	11	257	0	0	10	31	17	0	8	0	216	129	3,375
NEFS 12	1	8	11	15	27	84	0	0	31	7	5	0	27	1	25	8	290
NEFS 13	11	155	4	3,138	5,845	87	82	7	35	125	79	130	11	86	470	59	980
NHPB	0	0	4	0	0	3	0	0	0	0	0	0	0	0	2	2	42
SHS 1	2	27	12	373	695	321	2	0	12	71	32	42	16	3	466	119	1,043
SHS 2	1	15	18	126	235	270	5	1	4	72	26	3	5	6	410	195	2,460
SHS 3	14	202	30	4,581	8,533	2,472	26	2	34	377	199	98	17	89	3,987	837	8,222
Common Pool	2	26	12	111	207	93	4	6	17	26	18	6	18	62	51	21	230
Sector Total	88	1,245	378	15,489	28,851	8,219	235	26	381	1,442	831	725	339	456	10,921	2,715	37,170

* The data in this table are based on final fishing year 2018 sector rosters. The table does not provide an allocation for GB Cod Hook Gear and Mooncusser, which did not operate in 2018. The table excludes permits enrolled in NEFS 9 for fishing year 2018, because NEFS 9 will not operate in 2019. Therefore, the values for some stocks do not sum to 100 percent.

[#]Numbers are rounded to the nearest metric ton, but allocations are made in pounds. In some cases, this table shows a sector allocation of 0 metric tons, but that sector may be allocated a small amount of that stock in pounds.

[^]The data in the table represent the total allocations to each sector.

Sector Operations Plans and Contracts

Twenty-one groundfish sectors are approved to operate in the groundfish sector fishery, 19 of which were active in fishing year 2018. Of those 19 sectors, 18 submitted operations plans and contracts for approval for fishing years 2019 and 2020. Northeast Fishery Sector IX did not submit an operations plan for fishing year 2019. Two additional sectors, GB Cod Hook Gear and Mooncusser, submitted operations plans and contracts, for a total of 20 sectors. We are proposing to approve 20 sector operations plans and contracts for fishing years 2019 and 2020. In order to approve a sector's operations plan for fishing years 2019 and 2020, we consider whether a sector's plan is consistent with regulatory requirements and FMP objectives, and whether it has been compliant with reporting requirements from previous years, including the year-end reporting requirements found at § 648.87(b)(1)(vi)(C). Approved operations plans, provided on our website as a single document for each sector, not only contain the rules under which each sector would fish, but also provide the legal contract that binds each member to the sector for the length of the sector's operations plan. Each sector's operations plan, and each sector's members, must comply with the regulations governing sectors, found at § 648.87. In addition, each sector must conduct fishing activities as detailed in its approved operations plan.

Participating vessels are required to comply with all pertinent Federal fishing regulations, except as specifically exempted in the letter of authorization (LOA) issued by the Regional Administrator, which details any approved sector exemptions from the regulations. If, during a fishing year, or between fishing years 2019 and 2020, a sector requests an exemption that we have already granted, or proposes a change to administrative provisions, we may amend the sector operations plans. Should any such amendments require modifications to LOAs, we would include these changes in updated LOAs and provide them to the appropriate sectors.

As in previous years, we retain the right to revoke exemptions in-season if: We determine that the exemption jeopardizes management measures, objectives, or rebuilding efforts; the exemption results in unforeseen negative impacts on other managed fish stocks, habitat, or protected resources; the exemption causes enforcement concerns; catch from trips using the exemption cannot adequately be

monitored; or a sector is not meeting certain administrative or operational requirements. If it becomes necessary to revoke an exemption, we will do so through a process consistent with the Administrative Procedure Act.

Each sector is required to ensure that it does not exceed its ACE during the fishing year. Sector vessels are required to retain all legal-sized allocated Northeast multispecies stocks, unless a sector is granted an exemption allowing its member vessels to discard legal-sized unmarketable fish at sea. Catch (defined as landings and discards) of all allocated Northeast multispecies stocks by a sector's vessels count against the sector's allocation. Groundfish catch from a sector trip targeting non-groundfish species would be deducted from the sector's ACE because these are groundfish trips using gear capable of catching groundfish. Catch from a non-sector trip in an exempted fishery does not count against a sector's allocation and is assigned to a separate ACL sub-component to account for any groundfish bycatch that occurs in non-groundfish fisheries.

Each sector contract details the method for initial ACE sub-allocation to sector members. For fishing years 2019 and 2020, each sector has proposed that each active sector member could harvest an amount of fish equal to the amount each individual member's permit contributed to the sector, as modified by the sector for reserves or other management measures. Each sector operations plan submitted for fishing years 2019 and 2020 states that the sector would withhold an initial reserve from the sector's ACE sub-allocation to each individual member to prevent the sector from exceeding its ACE. A sector and sector members can be held jointly and severally liable for ACE overages, discarding legal-sized fish, and/or misreporting catch (landings or discards). Each sector contract provides procedures for enforcement of the sector's rules, explains sector monitoring and reporting requirements, provides sector managers with the authority to issue stop fishing orders to sector members who violate provisions of the operations plan and contract, and presents a schedule of penalties that managers may levy for sector plan violations.

Sectors are required to monitor their allocations and catch. To help ensure that a sector does not exceed its ACE, each sector operations plan explains sector monitoring and reporting requirements, including a requirement to submit weekly catch reports to us. If a sector reaches an ACE threshold (specified in the operations plan), the

sector must provide us with sector allocation usage reports on a daily basis. Once a sector's allocation for a particular stock is caught, that sector is required to cease all sector fishing operations in that stock area until it acquires more ACE, likely by an ACE transfer between sectors. Within 60 days of when we complete year-end catch accounting, each sector is required to submit an annual report detailing the sector's catch (landings and discards), enforcement actions, and pertinent information necessary to evaluate the biological, economic, and social impacts of each sector.

At-Sea Monitoring

Sectors are responsible for the at-sea portion of costs associated with the sector ASM program, even in years when reimbursement funds are available, and for designing, implementing, and funding an ASM program that will provide the level of ASM coverage specified annually. We are required to specify a level of ASM coverage using a process described in Framework 55 (81 FR 26412; May 2, 2016) that provides a reliable estimate of overall catch by sectors needed for monitoring ACEs and ACLs while minimizing the cost burden to sectors and NMFS to the extent practicable.

The draft operations plans submitted in October 2018 included industry-funded ASM plans to be used for fishing year 2019. As in previous years, we gave sectors the option to design their own programs in compliance with regulations, or elect to adopt the NMFS-designed ASM program that we have used in previous fishing years. As in past years, several sectors chose to adopt the NMFS-designed program while others proposed programs of their own design. Sector-designed ASM programs for fishing years 2019 and 2020 were similar to those approved in past years. In the event we cannot approve a proposed ASM program, we asked all sectors to include an option to use the current NMFS-designed ASM program as a back-up.

Sustainable Harvest Sectors 1, 2, and 3, GB Cod Fixed Gear Sector, Mooncusser Sector, Northeast Coastal Communities Sector, Maine Coast Community Sector, and Northeast Fishery Sectors 5, 10, 11, and 13 have proposed to use the ASM program that was developed by NMFS. We propose to approve this program for these sectors because it is consistent with goals and objectives of monitoring and regulatory requirements. Sectors that operate only as permit banks, and explicitly prohibit fishing in their operations plans, are not

required to include provisions for an ASM program.

We propose to approve the ASM programs proposed by the remaining seven active sectors, NEFS 1, 2, 3, 6, 7, 8, and 12, which state that they will: Contract with a NMFS-approved ASM provider; meet the specified coverage level; and utilize the PTNS for random selection of monitored trips and notification to providers. These ASM programs also include additional protocols for ASM coverage waivers, incident reporting, and safety requirements for their sector managers and members. We have determined that the programs are consistent with the goals and objectives of at-sea monitoring and regulatory requirements.

In fishing years 2010 and 2011, we funded an ASM program with a target ASM coverage level of 30 percent of all

trips. In addition, we provided 8-percent observer coverage through the Northeast Fishery Observer Program (NEFOP), which helps to support the Standardized Bycatch Reporting Methodology (SBRM) and stock assessments. This resulted in an overall target coverage level of 38 percent for fishing years 2010 and 2011, from the combined ASM and NEFOP. Beginning in fishing year 2012, we have conducted an annual analysis to determine the total target coverage level. Table 5 depicts the annual target coverage levels. Industry has been required to pay for their ASM coverage costs since 2012, while we continued to fund NEFOP coverage. However, we were able to fund the industry's portion of ASM costs and NEFOP coverage in fishing years 2012 through most of 2015. Industry paid for their portion of the

ASM program beginning in March 2016. In June 2016, after determining that the SBRM monitoring program could be fully funded with additional funding remaining, we announced that we had funds available to offset some of industry's costs of the groundfish ASM program in 2016. We reimbursed sectors for 85 percent of their ASM costs for 10 months of the fishing year, distributed through a grant by the Atlantic States Marine Fisheries Commission. In fishing year 2017, using leftover funds from the 2016 grant, we reimbursed sectors for 60 percent of industry costs in fishing year 2017. Fishing effort was lower than expected in the first few months of the fishing year, and we were ultimately able to retroactively reimburse sectors for an additional estimated 25 percent of industry's 2017 costs, which exhausted the remaining available SBRM funds.

TABLE 5—HISTORIC TARGET COVERAGE LEVEL FOR MONITORING

Fishing year	Total target coverage level (percent)	ASM target coverage level (percent)	NEFOP target coverage level (percent)
2010	38	30	8
2011	38	30	8
2012	25	17	8
2013	22	14	8
2014	26	18	8
2015	16	12	4
2016	14	10	4
2017	16	8	8
2018	15	10	5

In fiscal year 2018, Congress appropriated \$10.3 million for groundfish at-sea monitoring. With these funds, we were able to fully reimburse industry costs in fishing year 2018. Although the exact costs for fishing year 2019 are not known at this time, based on previous fishing year costs, we expect funds to be available to reimburse industry costs. We are in the process of determining the target coverage level for fishing year 2019. When it is available, we will announce the coverage level and make the supporting documentation available to the public.

In fishing year 2018, a number of sectors have realized ASM coverage levels below the target coverage level. Since this issue became known during the fishing year, we have been working with the sectors and approved service providers to increase coverage levels. Sectors have been proactive in their efforts to correct the issue. Sectors with low ASM coverage levels have participated in monthly meetings with the Northeast Fisheries Science Center staff and service providers to develop strategies for increasing coverage;

conducted targeted outreach with sector members to improve their understanding of ASM requirements; and submitted monthly reports to us documenting their efforts. Two sectors have contracted with an additional service provider for the remainder of the fishing year. Service providers are also working to improve coverage levels. The Northeast Fisheries Science Center held an ASM certification course in December 2018, and all four approved providers took the opportunity to train additional staff. Increased staffing levels will help providers meet ASM contract requirements. We expect to continue working with sectors and service providers throughout the remainder of the year to increase coverage levels for 2018, and to ensure they meet the specified coverage target in 2019.

Granted Exemptions for Fishing Years 2019 and 2020

Previously Granted Exemptions Granted for Fishing Years 2019 and 2020 (1–19)

We are granting exemptions from the following requirements for fishing years 2019 and 2020, all of which have been

requested and granted in previous years: (1) 120-day block out of the fishery required for Day gillnet vessels; (2) 20-day spawning block out of the fishery required for all vessels; (3) limits on the number of gillnets for Day gillnet vessels outside the GOM; (4) prohibition on a vessel hauling another vessel's gillnet gear; (5) limits on the number of gillnets that may be hauled on GB when fishing under a Northeast multispecies/monkfish DAS; (6) limits on the number of hooks that may be fished; (7) DAS Leasing Program length and horsepower restrictions; (8) prohibition on discarding; (9) gear requirements in the Eastern U.S./Canada Management Area; (10) prohibition on a vessel hauling another vessel's hook gear; (11) the requirement to declare an intent to fish in the Eastern U.S./Canada Special Access Program (SAP) and the Closed Area (CA) II Yellowtail Flounder/Haddock SAP prior to leaving the dock; (12) seasonal restrictions for the Eastern U.S./Canada Haddock SAP; (13) seasonal restrictions for the CA II Yellowtail Flounder/Haddock SAP; (14) sampling exemption; (15) 6.5-inch

minimum mesh size requirement for trawl nets to allow a 5.5-inch codend on directed redfish trips; (16) prohibition on combining small-mesh exempted fishery and sector trips in SNE; (17) extra-large mesh requirement to target dogfish on trips excluded from ASM in SNE and Inshore GB; (18) requirement that Handgear A vessels carry a Vessel Monitoring System (VMS) unit when fishing in a single broad stock area; and (19) limits on the number of gillnets for Day gillnet vessels in the GOM. A detailed description of the previously

granted exemptions and supporting rationale can be found in the applicable final rules identified in Table 6 below.

Several exemptions available to sectors in previous fishing years were rendered obsolete when the Omnibus Essential Fish Habitat Amendment 2 went into effect (83 FR 15240; April 9, 2018). The amendment removed the GB Seasonal Closure Area and Nantucket Lightship Closed Area, and changed CA I from a year-round closed area to a seasonal spawning closure. Consequently, sector exemptions

pertaining to these closed areas are no longer applicable. These exemptions include: GB Seasonal Closure Area in May (previously a “universal” exemption); daily catch reporting by sector managers for vessels participating in the CA I Hook Gear Haddock SAP; prohibition on fishing inside and outside the CA I Hook Gear Haddock SAP while on the same trip; and the prohibition on groundfish trips in Nantucket Lightship Closed Area. Sectors did not request any of these exemptions for fishing year 2019.

TABLE 6—EXEMPTIONS FROM PREVIOUS FISHING YEARS THAT ARE GRANTED IN FISHING YEARS 2019 AND 2020

Exemptions	Rulemaking	Date of publication	Citation
1–2, 4–9	Fishing Year 2011 Sector Operations Final Rule	April 25, 2011	76 FR 23076
10–11	Fishing Year 2012 Sector Operations Final Rule	May 2, 2012	77 FR 26129
12–14	Fishing Year 2013 Sector Operations Interim Final Rule	May 2, 2013	78 FR 25591
3, 15–16	Fishing Years 2015–2016 Sector Operations Final Rule	May 1, 2015	80 FR 25143
17	Framework 55 Final Rule	May 2, 2016	81 FR 26412
18	Amendment 18 Final Rule	April 21, 2017	82 FR 18706
19	Fishing Year 2018 Sector Operations Final Rule	May 1, 2018	83 FR 18965

Northeast Multispecies Federal Register documents can be found at <http://www.greateratlantic.fisheries.noaa.gov/sustainable/species/multispecies/>.

Additional Sector Operations Plan Provisions

Inshore GOM Restrictions

Several sectors have proposed an operations plan provision to limit and more accurately document a vessel’s behavior when fishing in an area they define as the inshore portion of the GOM BSA, or the area to the west of 70°15’ W long. As in fishing years 2017 and 2018, we are approving this provision, but note that a sector may elect to remove this provision in the final version of its operations plan, and it is not a requirement under NMFS regulations.

Under this provision, a vessel that is carrying an observer or at-sea monitor would remain free to fish in all areas, including the inshore GOM area, without restriction. If a vessel is not carrying an observer or at-sea monitor and fishes any part of its trip in the GOM west of 70°15’ W long., the vessel would be prohibited from fishing outside of the GOM BSA. Also, if a vessel is not carrying an observer or at-sea monitor and fishes any part of its trip outside the GOM BSA, this provision would prohibit a vessel from fishing west of 70°15’ W long. within the GOM BSA. The approved provision includes a requirement that a vessel declare whether it intends to fish in the inshore GOM area through the trip start haul using its VMS unit prior to departure. We provide sector managers with the ability to monitor this

provision through the Sector Information Management Module, a website where we also provide roster, trip, discard, and observer information to sector managers. A sector vessel may use a federally funded NEFOP observer or at-sea monitor on these trips because we believe it will not create bias in coverage or discard estimates, as fishing behavior is not expected to change as a result of this provision.

Prohibition on a Vessel Hauling Another Vessel’s Trap Gear To Target Groundfish

Several sectors have requested a provision to allow a vessel to haul another vessel’s fish trap gear, similar to the current exemptions that allow a vessel to haul another vessel’s gillnet gear or hook gear. These exemptions have generally been referred to as “community” gear exemptions. Regulations at § 648.84(a) require a vessel to mark all bottom-tending fixed gear, which would include fish trap gear used to target groundfish. To facilitate enforcement of this regulation, we are requiring that any community fish trap gear be tagged by each vessel that plans to haul the gear, similar to how this sector operations plan provision was implemented in fishing years 2014 through 2018. This allows one vessel to deploy the trap gear and another vessel to haul the trap gear, provided both vessels tag the gear prior to deployment. This requirement is included in the sector’s operations plan to provide the

opportunity for the sector to monitor the use of this provision and facilitate the Office of Law Enforcement and the U.S. Coast Guard’s enforcement of the marking requirement.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the NMFS Assistant Administrator has preliminarily determined that this proposed rule is consistent with the Northeast Multispecies FMP, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

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

This proposed rule does not contain policies with Federalism or takings implications as those terms are defined in E.O. 13132 and E.O. 12630, respectively.

The Chief Counsel for Regulation of the Department of Commerce 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) requires Federal agencies to consider disproportionality and profitability to

determine the significance of regulatory impacts. For RFA purposes only, NMFS established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing (see 50 CFR 200.2). A business primarily engaged in commercial fishing (NAICS code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates), and has combined annual receipts less than \$11 million for all its affiliated operations worldwide. The determination of whether the entity is large or small is based on the average annual revenue for the most recent 3 years for which data are available (from 2015 through 2017).

As of May 1, 2017 (beginning of fishing year 2017), NMFS had issued limited-access groundfish permits to 894 vessels.¹ Each of these permits is eligible to join a sector or enroll in the common pool in fishing year 2019. Alternatively, each permit owner could also allow their permit to expire by failing to renew it. Each vessel may be individually owned or part of a larger corporate ownership structure, and for RFA purposes it is the ownership entity that is ultimately regulated by the proposed action. Ownership entities are identified on June 1 of each year based on the list of all permit numbers, for the most recent complete calendar year, that have applied for any type of Northeast Federal fishing permit. The current ownership data set is based on calendar year 2017 permits and contains gross sales associated with those permits for calendar years 2015 through 2017.

Ownership data collected from permit holders indicates that there are 697 distinct business entities that hold at least one permit regulated by the proposed action. Of the 697 entities, 691 entities are categorized as small and 6

are categorized as large entities per the NMFS guidelines. All 691 small entities would be directly regulated by this proposed action.

This proposed rule would implement specified universal regulatory exemptions that would provide more flexible management options to fishing businesses that join a sector. For this reason, the proposed rule will have a positive impact on all 697 entities, as it will allow them to participate in the sector groundfish fishery rather than fish under the common pool regulations, which include limits of days-at-sea, trip limits, gear restrictions, size limits, and closures intended to control overall fishing mortality. In addition, these effort controls would be subject to in-season modifications based on industry-wide landings. Conversely, the sector fishery would provide increased efficiency and flexibility to fishing businesses. Under the proposed rule, small entities would not be placed at a competitive disadvantage relative to large entities. As a result, an initial regulatory flexibility analysis is not required and none has been prepared.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Recordkeeping and reporting requirements.

Dated: March 4, 2019.

Samuel D. Rauch III,

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

For the reasons stated in the preamble, 50 CFR part 648 is proposed to be amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

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

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

■ 2. In § 648.87, revise paragraph (d) to read as follows:

§ 648.87 Sector allocation.

* * * * *

(d) *Approved sector allocation proposals.* Eligible NE multispecies

vessels, as specified in paragraph (a)(3) of this section, may participate in the sectors identified in paragraphs (d)(1) through (26) of this section, provided the operations plan is approved by the Regional Administrator in accordance with paragraph (c) of this section and each participating vessel and vessel operator and/or vessel owner complies with the requirements of the operations plan, the requirements and conditions specified in the letter of authorization issued pursuant to paragraph (c) of this section, and all other requirements specified in this section. All operational aspects of these sectors shall be specified pursuant to the operations plan and sector contract, as required by this section.

- (1) GB Cod Hook Sector.
- (2) GB Cod Fixed Gear Sector.
- (3) Mooncusser Sector.
- (4) Sustainable Harvest Sector.
- (5) Sustainable Harvest Sector II.
- (6) Sustainable Harvest Sector III.
- (7) Port Clyde Community Groundfish Sector.
- (8) Northeast Fishery Sector I.
- (9) Northeast Fishery Sector II.
- (10) Northeast Fishery Sector III.
- (11) Northeast Fishery Sector IV.
- (12) Northeast Fishery Sector V.
- (13) Northeast Fishery Sector VI.
- (14) Northeast Fishery Sector VII.
- (15) Northeast Fishery Sector VIII.
- (16) Northeast Fishery Sector IX.
- (17) Northeast Fishery Sector X.
- (18) Northeast Fishery Sector XI.
- (19) Northeast Fishery Sector XII.
- (20) Northeast Fishery Sector XIII.
- (21) Tristate Sector.
- (22) Northeast Coastal Communities Sector.
- (23) State of Maine Permit Banking Sector.
- (24) State of Rhode Island Permit Bank Sector.
- (25) State of New Hampshire Permit Bank Sector.
- (26) State of Massachusetts Permit Bank Sector.

* * * * *

[FR Doc. 2019-04141 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-22-P

¹ For purposes of this analysis, groundfish limited access eligibilities held as Confirmation of Permit History (CPH) are not included because although they may generate revenue from ACE leasing, they do not generate any gross sales from fishing activity and thus would not be classified as commercial fishing entities.

Notices

Federal Register

Vol. 84, No. 45

Thursday, March 7, 2019

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

March 4, 2019.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments are requested regarding (1) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by April 8, 2019 will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), New Executive Office Building, 725 17th Street NW, Washington, DC 20502. Commenters are encouraged to submit their comments to OMB via email to: OIRA_Submission@OMB.EOP.GOV or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Copies of the submission(s) may be obtained by calling (202) 720-8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs

potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Animal and Plant Health Inspection Service

Title: Importation of Fresh Peppers from Ecuador into the United States.

Control Number: 0579-0437.

Summary of Collection: The Plant Protection Act (PPA, 7 U.S.C. 7701 *et seq.*) authorizes the Secretary of Agriculture to restrict the importation, entry, or interstate movement of plants, plant products, and other articles within the United States to prevent the introduction of plant pests or their dissemination. The Animal and Plant Health Inspection Service (APHIS) Plant Protection and Quarantine (PPQ) Program enforces the Act by regulating the importation of fruits and vegetables into the United States using regulations found in Title 7, Section 319.56 of the Code of Federal Regulations (CFR) under "Subpart—Fruits and Vegetables", and the Fruits and Vegetables Import Requirements (FAVIR) manual.

Need and Use of the Information: APHIS will use information collection activities and actions to ensure regulatory conditions are met. These activities include development of an operational workplan and a quality control plan; production site and packinghouse registrations; crop and insect trap inspections and recordkeeping; box labeling; notices of arrival to ports; responses to emergency action notifications, and permit application. Also, each consignment of peppers must be accompanied by a phytosanitary certificate issued by the national plant protection organization (NPPO) of Ecuador and containing an additional declaration stating the peppers were grown, packed, and shipped in accordance with § 319.56. These actions are the minimum necessary to allow the importation of fresh peppers from Ecuador while also protecting the United States against the introduction of plant pests.

Description of Respondents: NPPO of Ecuador; and commercial producers, packinghouses, and import brokers.

Number of Respondents: 803.

Frequency of Responses: Reporting on occasion, recordkeeping, third party disclosure.

Total Burden Hours: 2,117 hours.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2019-04121 Filed 3-6-19; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Agency Information Collection Activities: Proposed Collection; Comments Request—Summer Food Service Program (SFSP) Integrity Study

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on this proposed information collection. This collection is a new collection. The primary purpose of this study is to provide FNS with information about how the Summer Food Service Program (SFSP) is administered and monitored by State agencies and SFSP sponsors and sites, and identify common SFSP integrity challenges.

DATES: Written comments must be received on or before May 6, 2019.

ADDRESSES: Comments may be sent to: Chanchalat Chanhathasilpa, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 1000, Alexandria, VA 22302. Comments may also be submitted via fax to the attention of Chanchalat Chanhathasilpa at 703-305-2576 or via email to Chanchalat.Chanhathasilpa@fns.usda.gov. Comments will also be accepted through the Federal eRulemaking Portal. Go to <http://www.regulations.gov>, and follow the online instructions for submitting comments electronically.

All responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or

copies of this information collection should be directed to Chanchalat Chanhathasilpa at 703-305-2115.

SUPPLEMENTARY INFORMATION: 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 shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions that were used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Title: Summer Food Service Program (SFSP) Integrity Study.

Form Number: Not applicable.

OMB Number: 0584-NEW.

Expiration Date: Not Yet Determined.

Type of Request: New collection.

Abstract: Congress created the SFSP in 1968 to ensure that low-income children continue to receive nutritious meals when school is not in session and they do not have access to free or low-cost meals through the National School Lunch (NSLP) and School Breakfast Programs (SBP). The SFSP provides free meals and snacks in congregate settings to children in areas with high concentrations of low-income households with children, primarily in the summer months from May to September. USDA's Food and Nutrition Service (FNS) administers SFSP at the Federal level. State agencies administer the program through agreements with sponsors, including school food authorities (SFAs), local government agencies, camps, and private nonprofit organizations. Sponsors oversee the program at one or more eligible sites that serve the meals. Sites are located in a variety of settings such as schools, churches, parks, playgrounds, community and recreation centers, and camps.

Several laws aim to improve the integrity of the Federal government's payments and the efficiency of its programs and activities. The Improper Payments Elimination and Recovery Act of 2010 (Pub. L. 111-204) and the Improper Payments Elimination and Recovery Improvement Act of 2012 (Pub. L. 112-248) require Federal agencies to review programs and activities every three years to identify

those that may be vulnerable to significant improper payments. If results identify any programs as high risk, agencies are required to provide valid annual estimates of improper payments, following guidance in Office of Management and Budget Circular A-123.

FNS's assessments of SFSP in April 2014 and May 2017 concluded that it is at low risk for improper payments. However, recent efforts to address summer food insecurity through improving access to SFSP have increased program expenditures, which may lead to increased risk of improper payments. Additionally, SFSP presents unique challenges to ensuring program integrity and measuring improper payments. In most cases, eligibility and reimbursement in SFSP are not based on the household income of the individual children participating in the program, but rather on the aggregate socioeconomic status of the area around the site (open sites) or of the children enrolled in the program (closed enrolled sites).¹ By their nature, many SFSP sites are much less structured than other meal programs,² which may make training and monitoring more challenging. Finally, the Office of Inspector General recently reviewed SFSP to determine whether its controls were sufficient and found several areas for improvement.³

FNS is conducting a study, the *Summer Food Service Program (SFSP) Integrity Study*, to provide information about how State agencies and SFSP sponsors and sites administer and provide effective oversight of the SFSP to ensure program integrity, and to identify common SFSP integrity challenges. The key research objectives are to: (1) Describe how State agencies administer and provide SFSP oversight and why they believe it is effective; (2) identify SFSP integrity challenges; and (3) identify existing or State-recommended resources, training, or technical assistance that would better support the effective administration and monitoring of the SFSP.

¹ Camps receive Federal reimbursement only for meals and snacks served to children eligible for free or reduced price meals.

² SFSP offers flexibility with regard to where meals may be served (e.g., schools, parks, churches, apartment complexes), how meals are prepared (e.g., sites receive meals from a vendor, from their sponsor, or the sponsor prepares meals on-site), and other factors. Furthermore, sponsors may oversee different types of sites (e.g., open, restricted open, closed enrolled), and may follow different procedures to train and monitor each site type.

³ FNS Controls Over Summer Food Service Program, Audit Report 27601-0004-41. This audit is the first phase of a three-phase audit on controls over SFSP.

The study approach includes a survey and key informant interviews. Data will be collected via a web-based survey of the 54 State Child Nutrition Directors that oversee SFSP, followed by in-depth telephone interviews with 18 selected State Child Nutrition Directors and 36 State-level key staff. Following the State-level data collection, we will conduct telephone interviews with 48 sponsor directors and 48 sponsor key staff, and 48 Site Supervisors.

Affected Public: Respondent groups identified include: (1) State, Local and Tribal Government (State Child Nutrition (CN) agencies and SFSP sponsors and sites); and (2) Profit/Non-Profit Businesses (SFSP sponsors and sites). The burden for all respondents is broken down in the table below.

Estimated Number of Respondents: The total estimated number of respondents is 570 (258 respondents and 312 non-respondents). The study includes 54 State Child Nutrition Agency directors, 36 State Child Nutrition Agency key staff involved in SFSP oversight, 192 SFSP sponsor directors, 48 sponsor key staff, and 240 SFSP site supervisors. These estimates assume that 132 respondents from among the SFSP sponsor directors and 180 respondents among the SFSP sites will either not be reachable or will decline to participate.⁴

Estimated Frequency of Response: The estimated frequency of response is 4.03 annually for respondents and 1.24 annually for non-respondents.

Estimated Total Annual Responses: The total estimated number of responses for data collection is 1,427. This includes 1,040 for respondents and 387 for non-respondents.

Estimated Time per Respondent: The estimated time of response varies from 1 minute to 1 hour, depending on the respondent group and activity, as shown in the table below. The average estimated response is 0.17 hours.

Estimated Total Annual Burden on Respondents: The total public reporting burden for this collection of information is estimated at 238 hours (annually). The estimated burden for each type of respondent is provided in the Estimated Respondent Table (Table 1) below:

Dated: February 28, 2019.

Brandon Lipps,
Administrator, Food and Nutrition Service.

⁴ Based on our experience with recruitment for a similar study, we expect to recruit significantly more sponsors and sites than we will ultimately interview. To determine the number of respondents we need to recruit we multiplied our target number of SFSP sponsors by a factor of four, and our target number of SFSP sites by a factor of five.

TABLE 1—ESTIMATED RESPONDENT BURDEN

Respondent category	Type of respondents	Instruments	Sample size	Responsive				Non-Responsive					Grand total annual burden estimate (hours)
				Number of respondents	Frequency of response	Total annual responses	Hours per response	Annual burden (hours)	Number of non-respondents ^b	Frequency of response	Total annual responses	Hours per response		Annual burden (hours)^{a}
State Child Nutrition (CN) Agency.	State Director.	Electronic Study Notification Letter from FNS.	54	1	54	0.0501	2.7	0	0	0.000	0.0	2.7	
		Electronic Letter of Support from Regional Office.	54	1	54	0.0501	2.7	0	0	0.000	0.0	2.7	
		Electronic Letter with Link to Online Survey.	54	1	40	0.0501	2.0	14	1	0.0501	0.7	2.7	
		Electronic Survey Reminder Letter #1.	40	1	30	0.0167	0.5	10	1	0.0167	0.2	0.7	
		Electronic Survey Reminder Letter #2.	30	1	20	0.0167	0.3	10	1	0.0167	0.2	0.5	
		Electronic Survey Reminder Letter #3.	20	1	10	0.0167	0.2	10	1	0.0167	0.2	0.3	
		Electronic Survey Reminder Letter #4.	10	1	5	0.0167	0.1	5	1	0.0167	0.1	0.2	
		Phone Calls to Non-respondent State Directors.	5	1	5	0.1670	0.8	0	0	0.000	0.0	0.8	
		Online survey	54	1	54	0.3340	18.0	0	0	0.000	0.0	18.0	
		Electronic thank you note following survey completion.	54	1	54	0.0167	0.9	0	0	0.000	0.0	0.9	
		Electronic Letter from Westat with Request to Schedule Phone Interview.	20	1	18	0.1670	3.0	2	1	0.1670	0.3	3.3	
		In-Depth Phone Interview (includes consent).	18	1	18	1.0000	18.0	0	0	0.000	0.0	18.0	
		In-Depth Interview Follow Up and Thank You Note.	18	1	18	0.0501	0.9	0	0	0.000	0.0	0.9	
		Electronic Notification Letter from Westat Regarding SFSP Sponsor Selection.	18	1	18	0.0501	0.9	0	0	0.000	0.0	0.9	
		Electronic Letter from State CN Agency to Selected SFSP Sponsors.	18	1	18	0.1670	3.0	0	0	0.000	0.0	3.0	
		In-Depth Phone Interview (includes consent).	36	1	36	1.0000	36.0	0	0	0.000	0.0	36.0	
		In-Depth Interview Follow Up and Thank You Note.	36	1	36	0.0501	1.8	0	0	0.000	0.0	1.8	
State Government Sub-Total.	.....	.....	90	5.42	488	0.1883	91.9	e 0	0.00	51	0.0318	1.6
SFSP Sponsor	Director	Electronic Study Notification Letter from State CN Agency.	e96	1	30	0.0501	1.5	66	1	66	0.0501	3.3	

TABLE 1—ESTIMATED RESPONDENT BURDEN—Continued

Respondent category	Type of respondents	Instruments	Sample size	Responsive				Non-Responsive				Grand total annual burden estimate (hours)		
				Number of respondents	Frequency of response	Total annual responses	Hours per response	Annual burden (hours)	Number of non-respondents ^b	Frequency of response	Total annual responses		Hours per response	Annual burden (hours) ^a
		Electronic Study Notification Letter from Westat, incl. Request to Schedule Phone Interview.	30	24	1	24	0.0501	1.2	6	1	6	0.0501	0.3	1.5
		In-Depth Phone Interview (includes consent).	24	24	1	24	0.7500	18.0	0	0	0	0.0000	0.0	18.0
		In-Depth Interview Thank You Note and Request for Assistance with SFSP Site Recruitment.	24	24	1	24	0.1670	4.0	0	0	0	0.0000	0.0	4.0
		Electronic Letter from SFSP Sponsor to Selected SFSP Site.	24	24	1	24	0.0835	2.0	0	0	0	0.0000	0.0	2.0
	Key Staff ...	In-Depth Phone Interview (includes consent).	24	24	1	24	0.7500	18.0	0	0	0	0.0000	0.0	18.0
		In-Depth Interview Thank You Note and Request for Assistance with SFSP Site Recruitment.	24	24	1	24	0.1670	4.0	0	0	0	0.0000	0.0	4.0
SFSP Site	Supervisor	Electronic Study Notification Letter from State CN Agency.	120	30	1	30	0.0501	1.5	90	1	90	0.0501	4.5	6.0
		Electronic Study Notification Letter from Westat, incl. Request to Schedule Phone Interview.	30	24	1	24	0.0501	1.2	6	1	6	0.0501	0.3	1.5
		In-Depth Phone Interview (includes consent).	24	24	1	24	0.5000	12.0	0	0	0	0.0000	0.0	12.0
		In-Depth Interview Thank You Note.	24	24	1	24	0.0167	0.4	0	0	0	0.0000	0.0	0.4
Local Government Sub-State, Local, and Tribal Government Sub-Total.		.....	240	84	3.29	276	0.2313	63.8	156	1.08	168	0.0501	8.4	72.2
		.....	330	174	4.39	764	0.2038	155.7	156	1.40	219	0.0468	10.0	165.8
SFSP Sponsor	Director	Electronic Study Notification Letter from State CN Agency.	96	30	1	30	0.0501	1.5	66	1	66	0.0501	3.3	4.8

	30	24	1	24	0.0501	1.2	6	1	6	0.0501	0.3	1.5
Electronic Study Notification Letter from Westat, incl. Request to Schedule Phone Interview.	24	24	1	24	0.7500	18.0	0	0	0	0.0000	0.0	18.0
In-Depth Phone Interview (includes consent)	24	24	1	24	0.1670	4.0	0	0	0	0.0000	0.0	4.0
In-Depth Interview Thank You Note and Request for Assistance with SFSP Site Recruitment.	24	24	1	24	0.0835	2.0	0	0	0	0.0000	0.0	2.0
Electronic Letter from SFSP Sponsor to Selected SFSP Site.	24	24	1	24	0.7500	18.0	0	0	0	0.0000	0.0	18.0
In-Depth Phone Interview (includes consent).	24	24	1	24	0.1670	4.0	0	0	0	0.0000	0.0	4.0
In-Depth Interview Thank You Note and Request for Assistance with SFSP Site Recruitment.	24	24	1	24	0.0835	2.0	0	0	0	0.0000	0.0	2.0
Key Staff ...	24	24	1	24	0.7500	18.0	0	0	0	0.0000	0.0	18.0
In-Depth Phone Interview (includes consent).	24	24	1	24	0.1670	4.0	0	0	0	0.0000	0.0	4.0
In-Depth Interview Thank You Note and Request for Assistance with SFSP Site Recruitment.	24	24	1	24	0.0835	2.0	0	0	0	0.0000	0.0	2.0
Supervisor	120	30	1	30	0.0501	1.5	90	1	90	0.0501	4.5	6.0
Electronic Study Notification Letter from SFSP Sponsor.	30	24	1	24	0.0501	1.2	6	1	6	0.0501	0.3	1.5
Electronic Study Notification Letter from Westat, incl. Request to Schedule Phone Interview.	24	24	1	24	0.5000	12.0	0	0	0	0.0000	0.0	12.0
In-Depth Phone Interview (includes consent).	24	24	1	24	0.0167	0.4	0	0	0	0.0000	0.0	0.4
In-Depth Interview Thank You Note.	240	84	3.29	276	0.231	63.8	156	1.08	168	0.050	8.4	72.2
Profit/Non-Profit Business Subtotal.	570	258	4.03	1,040	0.2111	219.6	312	1.24	387	0.0477	18.5	238.0
Total												

Footnotes:
^a Annual burden hours are rounded to the nearest tenth.
^b The number of nonrespondents at all levels is the difference between sample size and number of respondents.
^c Based on our experience with a similar study, we multiplied our target number of SFSP sponsors by a factor of 4 to determine the number needed to recruit.
^d Based on our experience with a similar study, we multiplied our target number of SFSP sites by a factor of 5 to determine the number needed to recruit.
^e The number of State-level nonrespondents is zero because we assume that all State level respondents will participate in at least one data collection activity—either the survey or the interview.

[FR Doc. 2019-04090 Filed 3-6-19; 8:45 am]

BILLING CODE 3410-30-P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Wyoming 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 the meeting of the Wyoming Advisory Committee (Committee) to the Commission will be held at 1:00 p.m. (MDT) Monday, March 18, 2019. The purpose of this meeting is for the Committee to review and discuss draft of project proposal on hate crimes in Wyoming.

DATES: The meeting will be held on Monday, March 18, 2019 at 1:00 p.m. MDT.

PUBLIC CALL INFORMATION:

Dial: 877-260-1479.

Conference ID: 3928653.

FOR FURTHER INFORMATION CONTACT: Ana Victoria Fortes (DFO) at afortes@usccr.gov or (213) 894-3437.

SUPPLEMENTARY INFORMATION: This meeting is available to the public through the following toll-free call-in number: 877-260-1479, conference ID number: 3928653. 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 Ana Victoria Fortes at afortes@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 meetings at <https://www.facadatabase.gov/FACA/FACAPublicViewCommitteeDetails?id=a10t000001gzliAAA>.

Please click on "Committee Meetings" tab. Records generated from these meetings may also be inspected and reproduced at the Regional Programs Unit, as they become available, both before and after the meetings. Persons interested in the work of this Committee are directed to the Commission's website, <https://www.usccr.gov>, or may contact the Regional Programs Unit at the above email or street address.

Agenda

- I. Welcome and Roll Call
- II. USCCR Update
- III. Discussion Regarding Vice Chair
- IV. Discuss Project Proposal
- V. Vote on Project Proposal
- VI. Next Steps
 - a. Schedule Next Meeting
 - b. Begin Planning Hearing
- VII. Public Comment
- VIII. Adjournment

Dated: March 3, 2019.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2019-04097 Filed 3-6-19; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Nevada 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 Nevada Advisory Committee (Committee) to the Commission will be held at 11:00 a.m. (Pacific Time) Tuesday, March 19, 2019, the purpose of meeting is for the committee to continue planning for a community forum in Northern Nevada focused on the impact of policing practices on individuals with mental health concerns and veterans.

DATES: The meeting will be held on Tuesday, March 19, 2019 at 11:00 p.m. PT

Public Call Information:

Dial: 877-260-1479.

Conference ID: 1607290.

FOR FURTHER INFORMATION CONTACT: Ana Victoria Fortes (DFO) at afortes@usccr.gov or (213) 894-3437.

SUPPLEMENTARY INFORMATION: This meeting is available to the public through the following toll-free call-in number: 877-260-1479, conference ID number: 1607290. 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 Ana Victoria Fortes at afortes@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 <https://www.facadatabase.gov/FACA/FACAPublicViewCommitteeDetails?id=a10t000001gzlJAAQ>.

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. Welcome
- II. Approval of Minutes for February 20, 2019 Meeting
- III. Venue Update
- IV. Continue planning for Community Form in Northern Nevada

V. Public Comment
VI. Next Steps

Exceptional Circumstance: Pursuant to 41 CFR 102–3.150, the notice for this meeting is given less than 15 calendar days prior to the meeting because of the exceptional circumstances of the federal government shutdown.

Dated: March 1, 2019.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2019–04080 Filed 3–6–19; 8:45 am]

BILLING CODE P

COMMISSION ON CIVIL RIGHTS

Notice of Public Meeting of the Tennessee Advisory Committee

AGENCY: U.S. Commission on Civil Rights.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission) and the Federal Advisory Committee Act that the Tennessee Advisory Committee will hold a public hearing on Wednesday, March 27, 2019; 9:45 a.m.–4:30 p.m. to discuss Legal Financial Obligation (LFO).

DATES: The meeting will be held on Wednesday, March 27, 2019; 9:45 a.m.–4:30 p.m.

ADDRESSES: Nashville Public Library, 6715 Church Street, Nashville, Tennessee 37219.

FOR FURTHER INFORMATION CONTACT: Jeff Hinton, GFO, at jhinton@usccr.gov at 312–353–8311.

SUPPLEMENTARY INFORMATION: Members of the public are invited to come in and listen to the discussion. Written comments will be accepted until April 28, 2019 and may be mailed to the Regional Program Unit Office, U.S. Commission on Civil Rights, 230 S Dearborn, Suite 2120, Chicago, IL 60604. They may also be faxed to the Commission at (312) 353–8324 or may be emailed to the Regional Director, Jeff Hinton at jhinton@usccr.gov. Records of the meeting will be available via www.facadatabase.gov under the Commission on Civil Rights, Tennessee Advisory Committee link. Persons interested in the work of this Committee are directed to the Commission's website, <http://www.usccr.gov>, or may contact the Southern Regional Office at the above email or street address.

Agenda

- Opening Remarks and Introductions (9:45 a.m.–9:55 a.m.)

- Panel 1: (10:00 a.m.–10:55 a.m.)
- Panel 2: (11:00 a.m.–11:55 a.m.)
- Open Forum/Personal Testimony: (12:00 p.m.–12:30 p.m.)
- Break (12:30 p.m.–2:30 p.m.)
- Panel 3: (1:30 p.m.–2:25 p.m.)
- Panel 4: (2:30 p.m.–3:55 p.m.)
- Open Forum (4:00 p.m.–4:30 p.m.)
- Adjournment

Dated: March 1, 2019.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2019–04076 Filed 3–6–19; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

Census Bureau

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

Agency: U.S. Census Bureau.

Title: Census Age Search Service.

OMB Control Number: 0607–0117.

Form Number(s): BC–600, BC–600(SP), BC–649L, and BC–658L.

Type of Request: Extension of a currently approved collection.

Number of Respondents: 2,885.

Average Hours per Response: BC–600—12 minutes, BC–649L—6 minutes, BC–658L—6 minutes.

Burden Hours: 531 hours.

Needs and Uses: To locate records for individuals who need proof of age to qualify for Federal programs that require this information.

Affected Public: Individuals or households that need certified proof of age documents.

Frequency: On an as needed basis.

Respondent's Obligation: Required to obtain or retain benefits, to submit completed applications and required fees.

Legal Authority: Section 8(a) of Title 13.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this

notice to OIRA_Submission@omb.eop.gov or fax to (202) 395–5806.

Sheleen Dumas,

Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2019–04128 Filed 3–6–19; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–12–2019]

Foreign-Trade Zone (FTZ) 123—Denver, Colorado; Notification of Proposed Production Activity; Lexmark International, Inc. (Organic Photoconductor Drums); Longmont, Colorado

Lexmark International, Inc. (Lexmark) submitted a notification of proposed production activity to the FTZ Board for its facility in Longmont, Colorado. The notification conforming to the requirements of the regulations of the FTZ Board (15 CFR 400.22) was received on February 27, 2019.

A separate application has been submitted for subzone designation for the Lexmark facility under FTZ 123. The facility will be used for production of organic photoconductor drums. Pursuant to 15 CFR 400.14(b), FTZ activity would be limited to the specific foreign-status material/component 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 Lexmark from customs duty payments on the foreign-status material/component used in export production. On its domestic sales, for the foreign-status material/component noted below, Lexmark would be able to choose the duty rates during customs entry procedures that apply to organic photoconductor drums and recycled aluminum cores (duty-free to 5.7%). Lexmark would be able to avoid duty on foreign-status material which becomes scrap/waste. Customs duties also could possibly be deferred or reduced on foreign-status production equipment.

The material/component sourced from abroad would be aluminum cores (duty rate 5.7%). The request indicates that aluminum cores are subject to an antidumping/countervailing duty (AD/CVD) order if imported from China. The FTZ Board's regulations (15 CFR 400.14(e)) require that merchandise subject to AD/CVD orders, or items which would be otherwise subject to

suspension of liquidation under AD/CVD procedures if they entered U.S. customs territory, be admitted to the zone in privileged foreign status (19 CFR 146.41). The request also indicates that aluminum cores are subject to special duties under Section 232 of the Trade Expansion Act of 1962 (Section 232), depending on the country of origin. The applicable Section 232 decision requires subject merchandise to be admitted to FTZs in privileged foreign status.

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 April 16, 2019.

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 Juanita Chen at juanita.chen@trade.gov or 202-482-1378.

Dated: March 4, 2019.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2019-04125 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Proposed Information Collection; Comment Request; License Exemptions and Exclusions

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, 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.

DATES: To ensure consideration, written comments must be submitted on or before May 6, 2019.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, 1401 Constitution Avenue NW, Room 6616,

Washington, DC 20230 (or via the internet at PRAcomments@doc.gov.)

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Mark Crace, BIS ICB Liaison, (202) 482-8093 or at mark.crace@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

Over the years, BIS has worked with other Government agencies and the affected public to identify areas where export licensing requirements may be relaxed without jeopardizing U.S. national security or foreign policy. Many of these relaxations have taken the form of licensing exceptions and exclusions. Some of these license exceptions and exclusions have a reporting or recordkeeping requirement to enable the Government to continue to monitor exports of these items.

Exporters may choose to utilize the license exception and accept the reporting or recordkeeping burden in lieu of submitting a license application. These exceptions and exclusions have allowed exporters to ship items quickly, without having to wait for license approval.

These collections are designed to reduce export licensing burden. It is up to the individual company to decide whether it is most advantageous to continue to submit license applications or to comply with the reporting or recordkeeping requirements and take advantage of the licensing exception or exclusion.

II. Method of Collection

Electronic.

III. Data

OMB Control Number: 0694-0137.

Form Number: None.

Type of Review: Regular submission (extension of a current information collection).

Affected Public: Non-profit institutions; State, local, or tribal government; business or other for-profit organizations.

Estimated Number of Respondents: 19,738.

Estimated Time per Response: 1.52 hours.

Estimated Total Annual Burden Hours: 29,998.

Estimated Total Annual Cost to Public: \$0.

Respondent's Obligation: Voluntary.
Legal Authority: Export Control Reform Act (ECRA) of 2018.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Sheleen Dumas,

Departmental Lead PRA Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2019-04104 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-07-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-549-836]

Rubber Bands From Thailand: Final Negative Countervailing Duty Determination

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

SUMMARY: The Department of Commerce (Commerce) determines that countervailable subsidies are not being provided to producers and exporters of rubber bands from Thailand. The period of investigation is January 1, 2017, through December 31, 2017.

DATES: Applicable March 7, 2019.

FOR FURTHER INFORMATION CONTACT: Emily Halle or Shanah Lee, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: 202-482-0176 or 202-482-6386, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 9, 2018, Commerce published the *Preliminary Determination* of this countervailing duty (CVD) investigation

and invited interested parties to comment.¹ A summary of the events that occurred since the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum, which is hereby adopted by this notice.² The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and is available to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov/frn/>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Commerce exercised its discretion to toll all deadlines affected by the partial shutdown of the federal government from December 22, 2018, through January 29, 2019.³ The revised deadline for the final determination is now February 28, 2019.

Period of Investigation

The period of investigation is January 1, 2017, through December 31, 2017.

Scope of the Investigation

The products covered by this investigation are rubber bands from Thailand. For a full description of the scope of this investigation, see the "Scope of the Investigation" in Appendix I of this notice.

Scope Comments

During the course of this investigation and the concurrent antidumping duty (AD) investigation, Commerce received scope comments from interested parties. Subsequent to the *Preliminary Determination*, we issued a Preliminary Scope Decision Memorandum.⁴ Certain interested parties commented on the scope of the investigation as it appeared in the Preliminary Scope Decision Memorandum. Commerce addressed all scope comments received in the Final Scope Decision Memorandum and determined not to make changes to the scope that appeared in the *Preliminary Determination*.⁵

Analysis of Subsidy Programs and Comments Received

The subsidy programs under investigation and the issues raised in

the case and rebuttal briefs by parties in this investigation are discussed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is attached to this notice at Appendix II.

Changes Since the Preliminary Determination

We made an adjustment to the sales denominator of Liang Hah Heng based on minor corrections presented at verification. We also corrected an error made in the *Preliminary Determination* to include total sales to all markets of Liang Hah Heng's cross-owned affiliate when determining the appropriate sales denominator for Liang Hah Heng. These adjustments, however, did not change the overall subsidy rates for both respondents. Thus, the subsidy rates for both respondents remain unchanged from the *Preliminary Determination*. See the Issues and Decision Memorandum.

Final Determination

In accordance with section 705(c)(1)(B)(i)(I) of the Act, we have calculated individual rates for the two producers/exporters of subject merchandise that are under investigation. We determine that the total net countervailable subsidy rates are as follows:

Company	Ad Valorem rate (%) (de minimis)
Liang Hah Heng International Rubber Co., Ltd. (Liang Hah Heng) U. Yong Industry Co., Ltd. (U. Yong Industry)	0.23 <i>de minimis</i> . 0.37 <i>de minimis</i> .

Commerce has not calculated an all-others rate because it has not reached an affirmative final determination. In the *Preliminary Determination*, the total net countervailable subsidy rates for the two companies were *de minimis* and, therefore, we did not suspend liquidation. Because the rates for the two companies remain *de minimis*, we are not directing U.S. Customs and Border Protection to suspend liquidation of entries of rubber bands from Thailand.

Disclosure

Commerce intends to disclose to interested parties its calculations and analysis performed in this final determination within five days of any public announcement in accordance with 19 CFR 351.224(b).

International Trade Commission (ITC) Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. As our final determination is negative, this proceeding is terminated.

Notification Regarding Administrative Protective Orders

This notice serves as the only reminder to parties subject to Administrative Protective Order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO.

Notification to Interested Parties

This determination is issued and published pursuant to sections 705(d) and 777(i) of the Act.

¹ See *Rubber Bands from Thailand: Preliminary Negative Countervailing Duty Determination and Alignment of Final Determination with Final Antidumping Duty Determination*, 83 FR 31728 (July 9, 2018) (*Preliminary Determination*), and accompanying Preliminary Decision Memorandum.

² See Memorandum, "Decision Memorandum for the Final Negative Countervailing Duty Determination of Rubber Bands from Thailand," dated concurrently with this notice (Issues and Decision Memorandum).

³ See Memorandum to the Record from 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, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019.

⁴ See Memorandum "Rubber Bands from the People's Republic of China and Thailand: Scope Comments Decision Memorandum for the

Preliminary Antidumping Duty and Countervailing Duty Determinations," dated August 29, 2018 (Preliminary Scope Decision Memorandum).

⁵ See Memorandum, "Rubber Bands from the People's Republic of China and Thailand: Scope Decision Memorandum for the Final Antidumping Duty and Countervailing Duty Determinations," dated November 13, 2018 (Final Scope Decision Memorandum).

Dated: February 28, 2019.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products subject to this investigation are bands made of vulcanized rubber, with a flat length, as actually measured end-to-end by the band lying flat, no less than 1/2 inch and no greater than 10 inches; with a width, which measures the dimension perpendicular to the length, actually of at least 3/64 inch and no greater than 2 inches; and a wall thickness actually from 0.020 inch to 0.125 inch. Vulcanized rubber has been chemically processed into a more durable material by the addition of sulfur or other equivalent curatives or accelerators. Subject products are included regardless of color or inclusion of printed material on the rubber band's surface, including but not limited to, rubber bands with printing on them, such as a product name, advertising, or slogan, and printed material (e.g., a tag) fastened to the rubber band by an adhesive or another temporary type of connection. The scope includes vulcanized rubber bands which are contained or otherwise exist in various forms and packages, such as, without limitation, vulcanized rubber bands included within a desk accessory set or other type of set or package, and vulcanized rubber band balls. The scope excludes products that consist of an elastomer loop and durable tag all-in-one, and bands that are being used at the time of import to fasten an imported product.

Excluded from the scope of this investigation are vulcanized rubber bands of various sizes with arrow shaped rubber protrusions from the outer diameter that exceeds at the anchor point a wall thickness of 0.125 inches and where the protrusion is used to loop around, secure and lock in place.

Excluded from the scope of this investigation are yarn/fabric-covered vulcanized rubber, hair bands, regardless of size.

Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 4016.99.3510. Merchandise covered by the scope may also enter under HTSUS subheading 4016.99.6050. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Subsidies Valuation
- V. Use of Facts Otherwise Available and Adverse Inferences
- VI. Analysis of Programs
- VII. Discussion of the Issues

VIII. Recommendation

[FR Doc. 2019-04126 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-835]

Rubber Bands From Thailand: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (Commerce) determines that rubber bands from Thailand are being, or are likely to be, sold in the United States at less than fair value (LTFV) during the period of investigation (POI) January 1, 2017, through December 31, 2017.

DATES: Applicable March 7, 2019.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Stephanie Berger, AD/CVD Operations, Office III, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-4243 or (202) 482-2483, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 6, 2018, Commerce published the *Preliminary Determination* of sales at LTFV of rubber bands from Thailand.¹ A complete summary of the events that occurred since Commerce published the *Preliminary Determination*, as well as a full discussion of the issues raised by parties for this final determination, may be found in the Issues and Decision Memorandum.²

The Issues and Decision Memorandum is a public document and is available electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System

¹ See *Rubber Bands From Thailand: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*, 83 FR 45220 (September 6, 2018) (*Preliminary Determination*) and accompanying memorandum, "Decision Memorandum for the Preliminary Determination in the Less-Than-Fair-Value Investigation of Rubber Bands from Thailand" (*Preliminary Decision Memorandum*).

² See Memorandum, "Issues and Decision Memorandum for Final Affirmative Determination in the Antidumping Duty Investigation of Rubber Bands from Thailand," dated concurrently with this determination and hereby adopted by this notice (Issues and Decision Memorandum).

(ACCESS). Access is available to registered users at <https://access.trade.gov> and to all parties in the Central Records Unit, Room B-8024 of Commerce's main building. In addition, a complete version of the Issues and Decision Memorandum can be accessed at <http://enforcement.trade.gov/frn/>. The signed Issues and Decision Memorandum and electronic version are identical in content.

Commerce exercised its discretion to toll all deadlines affected by the partial federal government closure from December 22, 2018, through the resumption of operations on January 29, 2019.³ If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the final determination of this investigation is now February 28, 2019.

Period of Investigation

The POI is January 1, 2017, through December 31, 2017.

Scope of the Investigation

The products covered by this investigation are rubber bands from Thailand. For a full description of the scope of this investigation, see the "Scope of the Investigation" in Appendix I of this notice.

Scope Comments

During the course of this investigation and the concurrent countervailing duty (CVD) investigation, Commerce received scope comments from interested parties. Certain interested parties commented on the scope of the investigation as it appeared in the Preliminary Scope Decision Memorandum,⁴ which was issued concurrently with the *Preliminary Determination*. Commerce addressed all scope comments received in the Final Scope Decision Memorandum and determined not to make changes to the scope that appeared in the *Preliminary Determination*.⁵

³ See Memorandum, "Deadlines Affected by the Partial Shutdown of the Federal Government," dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

⁴ See Memorandum "Rubber Bands from the People's Republic of China and Thailand: Scope Comments Decision Memorandum for the Preliminary Antidumping Duty and Countervailing Duty Determinations," dated August 29, 2018 (*Preliminary Scope Decision Memorandum*).

⁵ See Memorandum, "Rubber Bands from the People's Republic of China and Thailand: Scope Decision Memorandum for the Final Antidumping Duty and Countervailing Duty Determinations," dated November 13, 2018 (*Final Scope Decision Memorandum*).

Verification

As provided in section 782(i) of the Tariff Act of 1930, as amended (the Act), Commerce verified the sales and cost data reported by U. Yong Industry Co., Ltd. (U. Yong), as well as data reported by Liang Hah Heng International Rubber Co., Ltd. (Liang Hah Heng) and Hah Shung Heng Co. (Hah Shung Heng) (collectively, Liang Hah Heng) for use in our final determination. We used standard verification procedures, including an examination of relevant accounting and production records, and original source documents provided by the respondents.

Analysis of Comments Received

All issues raised in the case briefs and rebuttal briefs submitted by interested parties in this proceeding are discussed in the Issues and Decision Memorandum. A list of the issues raised by parties and responded to by Commerce in the Issues and Decision Memorandum is attached at Appendix II.

Changes Since the Preliminary Determination

Based on our analysis of the comments received and our findings at verification, we made certain changes to the margin calculations for U. Yong and Liang Hah Heng since the *Preliminary Determination*. For a discussion of these changes, see the “Margin Calculations” section of the Issues and Decision Memorandum.

All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated weighted-average dumping margin for all-other producers and exporters not individually investigated shall be equal to the weighted average of the estimated weighted-average dumping margins established for individually investigated exporters and producers, excluding any margins that are zero or *de minimis* or any margins determined entirely under section 776 of the Act. U. Yong is the only respondent for which Commerce calculated an estimated weighted-average dumping margin that is not zero, *de minimis*, or based entirely on facts otherwise available. Therefore, for purposes of determining the “all-others” rate, and pursuant to section 735(c)(5)(A) of the Act, we are using the estimated weighted-average dumping margin calculated for U. Yong, as referenced in the “Final Determination” section below.

Final Determination

The weighted-average dumping margins are as follows:

Exporter/producer	Weighted-average margins (percent)
U. Yong Industry Co., Ltd	5.87
Liang Hah Heng International Rubber Co., Ltd./Hah Shung Heng Co	0.00
All-Others	5.87

Consistent with section 735(a)(4) of the Act, based on the zero rate for Liang Hah Heng and Hah Shung Heng, Commerce determines that Liang Hah Heng and Hah Shung Heng have not sold merchandise which they produced and exported at LTFV.

Disclosure

We will disclose the calculations performed within five days of any public announcement of this notice in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, we will instruct U.S. Customs and Border Protection (CBP) to continue the suspension of liquidation of all appropriate entries of rubber bands from Thailand, as described in Appendix I of this notice, which were entered, or withdrawn from warehouse, for consumption on or after September 6, 2018, the date of publication of the *Preliminary Determination* of this investigation in the **Federal Register**. Further, Commerce will instruct CBP to require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price as shown above. Because the estimated weighted-average dumping margin for Liang Hah Heng and Hah Shung Heng is zero, entries of shipments of subject merchandise both produced by Liang Hah Heng or Hah Shung Heng and exported by either of these companies will not be subject to suspension of liquidation or cash deposit requirements. In such situations, Commerce applies the exclusion to the provisional measures to the producer/exporter combination that was examined in the investigation. Accordingly, Commerce is directing CBP to not suspend merchandise produced by Liang Hah Heng or Hah Shung Heng and exported by either of these companies. However, entries of subject merchandise in any other producer/exporter combination, *e.g.*, merchandise produced by a third party and exported by Liang Hah Heng or Hah Shung Heng, or produced by Liang Hah Heng or Hah Shung Heng and exported by a third party, are subject to the cash

deposit requirements at the all-others rate.

Furthermore, other than for entries of subject merchandise produced by Liang Hah Heng or Hah Shung Heng and exported by either of these companies, pursuant to section 735(c)(1)(B)(ii) of the Act and 19 CFR 351.210(d), Commerce will instruct CBP to require a cash deposit for such entries of merchandise equal to the estimated weighted-average dumping margin or the estimated all-others rate, as follows: (1) The cash deposit rate for the respondents listed above will be equal to the respondent-specific estimated weighted-average dumping margin determined in this final determination; (2) if the exporter is not a respondent identified above but the producer is, then the cash deposit rate will be equal to the respondent-specific estimated weighted-average dumping margin established for that producer of the subject merchandise; and (3) the cash deposit rate for all other producers and exporters will be equal to the all-others estimated weighted-average dumping margin.

International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the International Trade Commission (ITC) of the final affirmative determination of sales at LTFV. Because the final determination in this proceeding is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will make its final determination as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports, or sales (or the likelihood of sales) for importation of rubber bands from Thailand no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated, and all cash deposits will be refunded. If the ITC determines that such injury does exist, Commerce will issue an antidumping duty order directing CBP to assess, upon further instruction by Commerce, antidumping duties on all imports of the subject merchandise, other than those produced by Liang Hah Heng or Hah Shung Heng and exported by either of these companies because their rate is zero, entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Notification Regarding Administrative Protective Orders

This notice serves as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a violation subject to sanction.

Notification to Interested Parties

We are issuing and publishing this determination and notice in accordance with sections 735(d) and 777(i) of the Act and 19 CFR 351.210(c).

Dated: February 28, 2019.

Gary Taverman,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The products subject to this investigation are bands made of vulcanized rubber, with a flat length, as actually measured end-to-end by the band lying flat, no less than 1/2 inch and no greater than 10 inches; with a width, which measures the dimension perpendicular to the length, actually of at least 3/64 inch and no greater than 2 inches; and a wall thickness actually from 0.020 inch to 0.125 inch. Vulcanized rubber has been chemically processed into a more durable material by the addition of sulfur or other equivalent curatives or accelerators. Subject products are included regardless of color or inclusion of printed material on the rubber band's surface, including but not limited to, rubber bands with printing on them, such as a product name, advertising, or slogan, and printed material (e.g., a tag) fastened to the rubber band by an adhesive or another temporary type of connection. The scope includes vulcanized rubber bands which are contained or otherwise exist in various forms and packages, such as, without limitation, vulcanized rubber bands included within a desk accessory set or other type of set or package, and vulcanized rubber band balls. The scope excludes products that consist of an elastomer loop and durable tag all-in-one, and bands that are being used at the time of import to fasten an imported product.

Excluded from the scope of this investigation are vulcanized rubber bands of various sizes with arrow shaped rubber protrusions from the outer diameter that exceeds at the anchor point a wall thickness of 0.125 inches and where the protrusion is used to loop around, secure and lock in place.

Excluded from the scope of this investigation are yarn/fabric-covered

vulcanized rubber hair bands, regardless of size.

Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under subheading 4016.99.3510. Merchandise covered by the scope may also enter under HTSUS subheading 4016.99.6050. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Changes Since the Preliminary Determination
- V. Discussion of the Issues
 - Comment 1: Adverse Facts Available for Liang Hah Heng
 - Comment 2: Collapsing of Liang Hah Heng and Hah Shung Heng
 - Comment 3: Date of Sale for Liang Hah Heng
 - Comment 4: Liang Hah Heng's Packing Costs Allocation
 - Comment 5: Liang Hah Heng's Reported Costs
 - Comment 6: G&A Expenses for Liang Hah Heng
 - Comment 7: Commerce's Application of Quarterly Cost Methodology to U. Yong
 - Comment 8: Rubber Band Variance Allocation for U. Yong
 - Comment 9: Monthly Adjustment to Standard Costs for U. Yong
 - Comment 10: Appropriate CONNUM for Rubber Bands of Mixed Sizes for U. Yong
 - Comment 11: U. Yong's U.S. Indirect Selling Expenses
- VI. Recommendation

[FR Doc. 2019-04127 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG838

Atlantic Highly Migratory Species; Meeting of the Atlantic Highly Migratory Species Advisory Panel

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

ACTION: Notice of public meeting and webinar/conference call.

SUMMARY: NMFS will hold a 3-day Atlantic Highly Migratory Species (HMS) Advisory Panel (AP) meeting in May 2019. The intent of the meeting is to consider options for the conservation and management of Atlantic HMS. The meeting is open to the public.

DATES: The AP meeting and webinar will be held from 9:30 a.m. to 6 p.m. on Tuesday, May 21, from 8:30 a.m. to 5:30 p.m. on Wednesday, May 22, and from 8:30 a.m. to 11:45 a.m. on Thursday, May 23.

ADDRESSES: The meeting will be held at the Sheraton Silver Spring Hotel, 8777 Georgia Avenue, Silver Spring, MD 20910. The meeting presentations will also be available via WebEx webinar/conference call.

The meeting on Tuesday, May 21, Wednesday, May 22, and Thursday, May 23, will also be accessible via conference call and webinar. Conference call and webinar access information are available at: <https://www.fisheries.noaa.gov/event/may-2019-hms-advisory-panel-meeting>.

Participants are strongly encouraged to log/dial in 15 minutes prior to the meeting. NMFS will show the presentations via webinar and allow public comment during identified times on the agenda.

FOR FURTHER INFORMATION CONTACT: George Silva or Peter Cooper at (301) 427-8503.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.*, as amended by the Sustainable Fisheries Act, Public Law 104-297, provided for the establishment of an AP to assist in the collection and evaluation of information relevant to the development of any FMP or FMP amendment for Atlantic HMS. NMFS consults with and considers the comments and views of AP members when preparing and implementing FMPs or FMP amendments for Atlantic tunas, swordfish, billfish, and sharks.

The AP has previously consulted with NMFS on: Amendment 1 to the Billfish FMP (April 1999); the HMS FMP (April 1999); Amendment 1 to the HMS FMP (December 2003); the Consolidated HMS FMP (October 2006); and Amendments 1, 2, 3, 4, 5a, 5b, 6, 7, 8, 9, 10, 11, 12, 13, and 14 to the 2006 Consolidated HMS FMP (April and October 2008, February and September 2009, May and September 2010, April and September 2011, March and September 2012, January and September 2013, April and September 2014, March and September 2015, March, September, and December 2016, May and September 2017, and March and September 2018), among other things.

The intent of this meeting is to consider alternatives for the conservation and management of all Atlantic tunas, swordfish, billfish, and shark fisheries. We anticipate discussing:

- Three-year review of Amendment 7 on bluefin tuna management;
- A proposed rule and draft Environmental Impact Statement for pelagic longline bluefin tuna area-based and weak hook management measures;
- Scoping for Amendments 13 (bluefin tuna), and spatial management research and data collection.

We also anticipate inviting other NMFS offices and the United States Coast Guard to provide updates, if available, on their activities relevant to HMS fisheries.

Additional information on the meeting and a copy of the draft agenda will be posted prior to the meeting at: <https://www.fisheries.noaa.gov/event/may-2019-hms-advisory-panel-meeting>.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Peter Cooper at (301) 427-8503 at least 7 days prior to the meeting.

Dated: March 4, 2019.

Karen H. Abrams,

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

[FR Doc. 2019-04108 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Alaska Region Bering Sea and Aleutian Islands Crab Economic Data Reports

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, 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.

DATES: Written comments must be submitted on or before May 6, 2019.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at PRAComments@doc.gov).

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument and instructions should be directed to Gabrielle Aberle, NOAA's National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668, Telephone (907) 586-7228.

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for extension of a currently approved information collection.

The Bering Sea and Aleutian Island Crab Rationalization Program (CR Program) is a limited access privilege program managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Consolidated Appropriations Act of 2004 (Public Law 108-199, Sec. 801), and the Fishery Management Plan for Bering Sea/Aleutian Islands King and Tanner Crab (FMP). The CR Program allocates crab among harvesters, processors, Western Alaska Community Development Quota groups, and coastal communities for nine crab fisheries. The CR Program also includes a comprehensive economic data collection program requiring participants to complete annual Economic Data Reports (EDRs). These EDRs are intended to aid the North Pacific Fishery Management Council (Council) and NOAA's National Marine Fisheries Service (NMFS) to assess the performance of the CR Program and to develop amendments to the FMP or regulations to mitigate any unintended consequences of the CR Program.

NMFS has designated Pacific States Marine Fisheries Commission (PSMFC) as the Data Collection Agent for the CR Program. NMFS and PSMFC administer the crab EDR program under the guidance of the Council. The crab EDR program collects annually reported cost, revenue, ownership, and employment data from harvest and processing sector participants in the CR Program fisheries. This information is necessary to monitor and assess the economic effects of the CR Program and support rigorous economic analysis to promote the goals and objectives of the Magnuson-Stevens Act and the FMP.

Participation in the crab EDR program is mandatory under Federal fisheries regulations at 50 CFR 680.6 for all active vessel and processing sector participants in the CR Program fisheries.

This information collection contains the three EDRs used by participants in the CR Program: Catcher Vessel Crab EDR, Catcher/Processor Crab EDR, and Processor Crab EDR. An EDR is required

from any owner or leaseholder of a vessel or processing plant, or a holder of a registered crab receiver permit that harvested, processed, custom processed, or obtained custom processing for CR crab in specified BSAI crab fisheries during the prior calendar year. The EDRs are submitted annually and are due on or before July 31 of the following year. The information collection also includes information required to be submitted for audits to verify data submitted by respondents. Additional information on the crab EDR program is available on the PSMFC website at http://www.psmfc.org/alaska_crab/.

II. Method of Collection

The EDRs may be submitted online, by mail, or by fax. PSMFC mails EDR announcements and filing instructions to respondents by the end of May each year. Respondents are encouraged to complete the forms online on the PSMFC website at http://www.psmfc.org/alaska_crab/. EDR forms also are available on the PSMFC website as a fillable PDF; these may be downloaded, printed, and mailed or faxed to PSMFC.

III. Data

OMB Control Number: 0648-0518.

Form Number(s): None.

Type of Review: Regular submission (extension of a current information collection).

Affected Public: Business or other for-profit organizations; Not-for-profit organizations.

Estimated Number of Respondents: 99.

Estimated Time per Response: 20 hours each for full Catcher Vessel Crab EDR and full Catcher/Processor Crab EDR; 16 hours for full Processor Crab EDR; 2 hours each for certification-only Catcher Vessel Crab EDR, certification-only Catcher/Processor Crab EDR, and certification-only Processor Crab EDR; and 8 hours for Verification of Data. These estimates are based on the most recent supporting statement prepared for this EDR information collection in 2018. This supporting statement is available on NOAA's Paperwork Reduction Act web page at <https://www.cio.noaa.gov/itmanagement/pdfs/0518Ext16.pdf>.

Estimated Total Annual Burden Hours: 2,624 hours.

Estimated Total Annual Cost to Public: \$318,414 in recordkeeping and reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance

of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Sheleen Dumas,

*Departmental Lead PRA Clearance Officer,
Office of Chief Information Officer, Commerce
Department.*

[FR Doc. 2019-04103 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG822

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Biorca Island Dock Replacement Project

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

ACTION: Notice; proposed issuance of an Incidental Harassment Authorization; request for comments.

SUMMARY: NMFS has received a request from the Federal Aviation Administration (FAA) for an incidental harassment authorization (IHA) that would cover a subset of the take authorized in an IHA previously issued to FAA to incidentally take marine mammals, by Level A and Level B harassment, during construction activities associated with the Biorca dock replacement project in Symonds Bay, Alaska. The applicant was unable to complete the work before the expiration date of the 2018 IHA and NMFS is proposing to issue, an IHA authorizing incidental take for the remaining activities. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an incidental harassment authorization (IHA) to incidentally take marine mammals

during the specified activities. NMFS is also requesting comments on a possible one-year renewal that could be issued under certain circumstances and if all requirements are met, as described in *Request for Public Comments* at the end of this notice.

DATES: Comments and information must be received no later than April 8, 2019.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910 and electronic comments should be sent to ITP.Guan@noaa.gov.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Shane Guan, Office of Protected Resources, NMFS, (301) 427-8401. Electronic copies of the original application and supporting documents (including NMFS FR notices of the 2018 proposed and final authorizations, and the previous IHA), as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:

Background

The MMPA prohibits the "take" of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who

engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed incidental take authorization may be provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other "means of effecting the least practicable adverse impact" on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to in shorthand as "mitigation"); and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth.

National Environmental Policy Act

To comply with the National Environmental Policy Act (NEPA) of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action (*i.e.*, the issuance of an incidental harassment authorization) with respect to environmental consequences on the human environment. This action is consistent with categories of activities identified in CE B4 of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has determined that the issuance of the IHA qualifies to be categorically excluded from further NEPA review and a Categorical Exclusion memo was signed in October 2017.

History of Request

On March 31, 2017, NMFS received a request from the FAA for an IHA to take marine mammals incidental to pile driving and removal and down-the-hole (DTH) pile driving in association with the Biorca Island Dock Replacement Project (Project) in Symonds Bay, Alaska. NMFS published a notice of a proposed IHA and request for comments in the **Federal Register** on August 30,

2017 (82 FR 41229). We subsequently published the final notice of our issuance of the IHA on October 31, 2017 (82 FR 50397), making the IHA valid for May 1, 2018 through April 30, 2019. In-water work associated with the project was expected to be completed within the one-year timeframe of the IHA. The specified activities were expected to result in the take, in the form of Level A and Level B harassment, of five species of marine mammals including harbor seal (*Phoca vitulina*), Steller sea lion (*Eumetopias jubatus*), harbor porpoise (*Phocoena phocoena*), killer whale (*Orcinus orca*), and humpback whale (*Megaptera novaeangliae*).

On December 11, 2018, the contractor of FAA informed NMFS that part of the work on the project would be postponed due to severe weather conditions that created significant logistical challenges; that no work was able to be conducted during the winter season of 2018 and 2019, and that, therefore, not all of the in-water pile driving activities can be completed by the expiration of the 2018 IHA. FAA requested that a new IHA be issued that would be valid from May 1, 2019 through April 30, 2020. There is no modification from the initial project description provided in the FAA's IHA application, except that only a subset of the activities analyzed in the 2018 IHA remain to be completed.

Description of the Proposed Activity and Anticipated Impacts

The 2019 proposed IHA would cover a subset of the construction associated with the Biorka Island dock replacement project described in the initial **Federal Register** notice (82 FR 41229; August 30, 2017) for the proposed 2018 IHA. The 2017 IHA authorized Level A and B harassment of two species of marine mammals and Level B harassment of seven species of marine mammals (Table 1). FAA requests authorization to harass these same species. Accordingly, the take proposed for authorization here would apply to the same stocks, resulting from the same activities, and be in the form of Level A and Level B harassment. The number of proposed authorized takes is a subset of that authorized in the 2018 IHA, calculated using the same methods as the 2018 IHA, but considering the reduced subset of activities (described below).

Detailed Description of the Action

The majority of the planned construction project has been completed, and this proposed IHA would only cover potential marine mammal takes for the remainder of the pile driving activities. Specifically, these are:

- Two (2) 30-inch piles;
 - One has already been installed and just needs to be proofed with an impact hammer;
 - The other will be driven with an impact hammer;
- Four (4) 18-inch batter piles;
- Up to twelve (12) template H-piles (six per dolphin);
 - Includes installation and extraction
 - Use vibratory hammer.

NMFS refers the reader to the documents related to the previously issued 2018 IHA for more detailed description of the project activities. These previous documents include the **Federal Register** notice of the issuance of the 2018 IHA for FAA's Biorka Island dock replacement project (82 FR 50397; October 31, 2017), FAA's IHA application, the **Federal Register** notice of the proposed IHA (82 FR 41229; August 30, 2017) and all associated references and documents. A detailed description of the proposed vibratory and impact pile driving activities at the dock replacement project is found in these documents. The description remains accurate with the exception of the reduction noted above.

Description of Marine Mammals

A description of the marine mammals in the area of the activities is found in these previous documents, which remains applicable to the proposed 2019 IHA as well. In addition, NMFS has reviewed recent draft Stock Assessment Reports, information on relevant Unusual Mortality Events, and recent scientific literature, and determined that no new information affects our original analysis of impacts under the 2018 IHA.

Potential Effects on Marine Mammals and Their Habitat

A description of the potential effects of the specified activities on marine mammals and their habitat may be found in the documents supporting the previous IHA, which remains applicable to the issuance of the proposed 2019 IHA. There is no new information on potential effects.

Estimated Take

A detailed description of the methods and inputs used to estimate authorized take is found in these previous documents. The methods of estimating take for the proposed 2019 IHA are identical to those used in the 2018 IHA. The source levels, and marine mammal density remain unchanged from the previously issued IHA, with the days of operation reduced to reflect the reduced number of piles remaining (21 days versus 70 days in the 2018 IHA). Regarding proposed authorized take, the

stocks taken, types of take, and methods of taking remain unchanged from the previously issued IHA. Using the same methods and inputs described in the 2018 IHA, when the reduced amount of activity is considered, we anticipate and propose to authorize the take numbers indicated below in Table 1, as do the number of takes, which are indicated below.

TABLE 1—ESTIMATED MARINE MAMMAL TAKES IN THE 2019 IHA

Species	Authorized take	
	Level A	Level B
Harbor seal	5	100
Steller sea lion	3	100
Harbor porpoise	15	45
Killer whale	0	12
Humpback whale	1	100

Description of Proposed Mitigation, Monitoring and Reporting Measures

The proposed mitigation, monitoring, and reporting measures proposed here are identical to those included in the **Federal Register** notice announcing the final 2018 IHA and the discussion of the least practicable adverse impact included in that document remains accurate. The following measures are proposed for inclusion in this IHA:

- Establishment of Shutdown Zone—For all pile driving activities, FAA will establish a shutdown zone. The purpose of a shutdown zone is generally to define an area within which shutdown of activity would occur upon sighting of a marine mammal (or in anticipation of an animal entering the defined area). In this case, shutdown zones are intended to contain areas in which sound pressure levels (SPLs) equal or exceed acoustic injury criteria for some authorized species, based on NMFS' acoustic technical guidance published in the **Federal Register** on August 4, 2016 (81 FR 51693).

- Establishment of Monitoring Zones—FAA must identify and establish Level A harassment zones. These zones are areas beyond the shutdown zones where animals may be exposed to sound levels that could result in permanent threshold shift (PTS). FAA will also identify and establish Level B harassment disturbance zones which are areas where SPLs equal or exceed 160 dB rms for impact driving and 120 dB rms during vibratory driving. Observation of monitoring zones enables observers to be aware of and communicate the presence of marine mammals in the project area and outside the shutdown zone and thus prepare for potential

shutdowns of activity. NMFS has established monitoring protocols described in the **Federal Register** notice of the issuance (82 FR 50397; October 30, 2017) which are based on the distance and size of the monitoring and shutdown zones. These same protocols are contained in this proposed 2019 IHA.

- **Temporal Restrictions**—Work may only occur during daylight hours, when visual monitoring of marine mammals can be conducted.

- **Soft Start**—The use of a soft-start procedure is believed to provide additional protection to marine mammals by providing warning and/or giving marine mammals a chance to leave the area prior to the hammer operating at full capacity. For impact pile driving, contractors will be required to implement soft start procedures. Soft Start is not required during vibratory pile driving and removal activities.

- **Visual Marine Mammal Observation**—Monitoring must be conducted by qualified marine mammal observers (MMOs), who are trained biologists, with minimum qualifications described in the **Federal Register** notice of the issuance of the 2018 IHA (82 FR 50397; October 30, 2017). In order to effectively monitor the pile driving monitoring zones, two MMOs must be positioned at the best practical vantage point(s). If waters exceed a sea-state which restricts the observers' ability to make observations within the shutdown zone (e.g., excessive wind or fog), pile installation and removal will cease. Pile driving will not be initiated until the entire shutdown zone is visible. MMOs shall record specific information on the sighting forms as described in the **Federal Register** notice of the issuance of the 2018 IHA (82 FR 50397; October 30, 2017). At the conclusion of the in-water construction work, FAA will provide NMFS with a monitoring report which includes summaries of recorded takes and estimates of the number of marine mammals that may have been harassed.

Preliminary Determinations

FAA proposes to conduct a subset of activities identical to those covered in the previous 2018 IHA. FAA was not able to complete these activities within the effective dates of the 2018 IHA due to weather-related delays of the project. Potential impacts to marine mammals from these activities were previously analyzed for the issuance of the 2018 IHA, and there are no changes to these activities for this proposed IHA. Therefore, the potential effects from Level A and Level B harassment on the marine mammals previously analyzed

remain applicable (though of a lower amount), as do NMFS prior determinations.

When issuing the 2018 IHA, NMFS found FAA's Biorca Island dock replacement project, in its entirety, would have a negligible impact to species or stocks' rates of recruitment and survival and the amount of taking would be small relative to the population size of such species or stock (less than 15 percent). The proposed IHA includes identical required mitigation, monitoring, and reporting measures as the 2018 IHA.

In conclusion, there is no new information suggesting that our analysis or findings should change.

Based on the information contained here and in the referenced documents, NMFS has preliminarily determined the following: (1) The required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the proposed authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the proposed authorized takes represent small numbers of marine mammals relative to the affected stock abundances; and (4) FAA's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action, and (5) appropriate monitoring and reporting requirements are included.

Endangered Species Act (ESA)

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally, in this case with the Alaska Regional Office, whenever we propose to authorize take for endangered or threatened species.

NMFS is authorizing take of two DPSs (i.e., western DPS of Steller sea lions and Mexico DPS of humpback whales), which are listed under the ESA. The Permit and Conservation Division requested initiation of Section 7 consultation with the Alaska Region for the issuance of this IHA. The NMFS Alaska Regional Office Protected Resources Division issued a Biological Opinion in October, 2017 under section 7 of the ESA, on the issuance of an IHA to the FAA under section 101(a)(5)(D) of

the MMPA by the NMFS Permits and Conservation Division. The Biological Opinion concluded that the proposed action is not likely to jeopardize the continued existence of western DPS Steller sea lions or Mexico DPS of humpback whales, and is not likely to destroy or adversely modify western DPS Steller sea lion critical habitat.

Proposed Authorization

As a result of these preliminary determinations, NMFS proposes to issue an IHA to FAA for conducting FFA's Biorca Island dock replacement project between May 1, 2019, and April 30, 2020, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed IHA can be found at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>.

Request for Public Comments

We request comment on our analyses (included in both this document and the referenced documents supporting the 2018 IHA), the proposed authorization, and any other aspect of this Notice of Proposed IHA for the proposed [action]. We also request comment on the potential for renewal of this proposed IHA as described in the paragraph below. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization. NMFS will consider public comments prior to making any final decision on the issuance of the requested MMPA authorizations and agency responses will be summarized in the final notice of our decision.

On a case-by-case basis, NMFS may issue a second one-year IHA with expedited notice and public comment when (1) another year of identical or nearly identical activities as described in the Specified Activities section is planned or (2) the activities would not be completed by the time the IHA expires and a second IHA would allow for completion of the activities beyond that described in the Dates and Duration section, provided all of the following conditions are met:

- A request for renewal is received no later than 60 days prior to expiration of the current IHA;

- The request for renewal must include the following:

- (1) An explanation that the activities to be conducted beyond the initial dates either are identical to the previously analyzed activities or include changes so minor (e.g., reduction in pile size) that the changes do not affect the

previous analyses, take estimates, or mitigation and monitoring requirements; and

(2) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized;

- Upon review of the request for renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures remain the same and appropriate, and the original findings remain valid.

Dated: March 4, 2019.

Donna S. Wieting,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 2019-04134 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; West Coast Region U.S. Pacific Highly Migratory Species Logbook Family of Forms

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, 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.

DATES: Written comments must be submitted on or before May 6, 2019.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW, Washington, DC 20230 (or via the internet at PRAComments@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Shannon Penna, National Marine Fisheries Service (NMFS), West Coast Region (WCR) Long Beach Office, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802, (562) 980-4238 or shannon.penna@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

Under the Fishery Management Plan for United States (U.S.) West Coast Fisheries for Highly Migratory Species (HMS) U.S. fishermen, participating in the Pacific hook-and-line (also known as the albacore troll and poll-and-line), coastal purse seine (vessels less than 400 st carrying capacity), large-mesh drift gillnet, and swordfish harpoon fisheries, are required to obtain an HMS permit. Permit holders are also required to complete and submit logbooks documenting their daily fishing activities, including catch and effort for each fishing trip. Logbook forms must be completed within 24 hours of the completion of each fishing day and submitted to the Southwest Fisheries Science Center (SWFSC) within 30 days of the end of each trip. Federal regulations allow the use of state logbooks to fulfill this requirement, for example, California has fulfilled this requirement to date for HMS fisheries. These data and associated analyses help the SWFSC provide critical HMS fisheries information to researchers, fisheries managers, and the needed management advice to the U.S. in its negotiations with foreign fishing nations that fish for HMS.

At the November 2018 Pacific Fisheries Management Council meeting, the California Department of Fish and Wildlife submitted an informational report outlining proposed regulations to repeal the state logbook requirements for swordfish harpoon and large-mesh drift gillnet. In December 2018, the California Fish and Wildlife Commission adopted an amendment to the California Code of Regulations (CCR) to eliminate the use of California logbooks for these gear types. These regulations are expected to become effective on April 1, 2019.

As a result, NMFS has developed Federal logbooks to replace the California logbooks. In addition, the SWFSC developed a purse seine logbook for vessels under 400 st (362.8 mt) carrying capacity. This will replace their use of the Inter-American Tropical Tuna Commission (IATTC) Seiner Record and Bridge Log designed for purse seine vessels over 400 st (362.8 mt) carrying capacity.

The SWFSC and representatives from each of the fisheries have reviewed the Federal logbooks. Representatives were chosen based on their experience with State logbooks and specific gear-types. The information collected from the public will remain consistent with information currently collected from California Fish and Wildlife logbooks.

There will be no additional burden to the public.

II. Method of Collection

Respondents have a choice of either electronic data submission or paper forms for hook-and-line logbooks. Currently, purse seine, drift gillnet, and harpoon are only collected in paper form; fillable pdf forms are expected to be available for the 2020 fishing year. Methods of submittal include secure electronic transmission and mailing of paper forms.

III. Data

OMB Control Number: 0648-0223.

Form Number(s): NOAA Form 88-197.

Type of Review: Regular submission (revision of a currently approved collection).

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 1,700.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden Hours: 2,266.

Estimated Total Annual Cost to Public: \$1,110 in recordkeeping/reporting costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Sheleen Dumas,

*Departmental Lead PRA Clearance Officer,
Office of the Chief Information Officer,
Commerce Department.*

[FR Doc. 2019-04102 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648–XG831

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Lighthouse Repair and Tour Operations at Northwest Seal Rock, California

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

ACTION: Notice; incidental harassment authorization; request for comments on proposed renewal.

SUMMARY: NMFS received a request from the St. George Reef Lighthouse Preservation Society (Society) for the renewal of their currently-active, incidental harassment authorization (IHA) to take marine mammals incidental to aircraft operations, lighthouse renovations, and tour operations associated with preservation of the St. George Reef Lighthouse Station (Station) on Northwest Seal Rock (NWSR) in the northeast Pacific Ocean. These activities are identical to those covered in the current authorization. Pursuant to the Marine Mammal Protection Act. Prior to issuing the currently-active IHA, NMFS requested comments on both the proposed IHA and the potential for renewing the initial authorization if certain requirements were satisfied. The renewal requirements have been satisfied, and NMFS is now providing an additional 15-day comment period to allow for any additional comments on the proposed renewal not previously provided during the initial 30-day comment period. Any comments received on the potential renewal, along with relevant comments on the initial IHA, have been considered in the development of this proposed IHA renewal, and a summary of agency responses to applicable comments is included in this notice. NMFS will consider any additional public comments prior to making any final decision on the issuance of the requested renewal, and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than March 22, 2019.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National

Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910 and electronic comments should be sent to ITP.Fowler@noaa.gov.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT:

Amy Fowler, Office of Protected Resources, NMFS, (301) 427–8401. Electronic copies of the original application, renewal request, and supporting documents (including NMFS **Federal Register** notices of the original proposed and final authorizations, and the previous IHA), as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>. In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:**Background**

The Marine Mammal Protection Act (MMPA) prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, notice of a proposed incidental take authorization is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on

the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as “mitigation measures”). Monitoring and reporting of such takings are also required. The meaning of key terms such as “take,” “harassment,” and “negligible impact” can be found in section 3 of the MMPA (16 U.S.C. 1362) and the agency’s regulations at 50 CFR 216.103.

NMFS’ regulations implementing the MMPA at 50 CFR 216.107(e), indicate that IHAs may be renewed for additional periods of time, not to exceed one year for each reauthorization. In the notice of proposed IHA for the initial authorization, NMFS described the circumstances under which we would consider issuing a renewal for this activity, and requested public comment on a potential renewal under those circumstances. Specifically, on a case-by-case basis, NMFS may issue a one-year IHA renewal when (1) another year of identical or nearly identical activities as described in the Specified Activities section is planned or (2) the activities would not be completed by the time the IHA expires and a second IHA would allow for completion of the activities beyond that described in the Dates and Duration section of the initial IHA. All of the following conditions must be met in order to issue a Renewal:

- A request for renewal is received no later than 60 days prior to expiration of the current IHA.

- The request for renewal must include the following:

- (1) An explanation that the activities to be conducted beyond the initial dates either are identical to the previously analyzed activities or include changes so minor (e.g., reduction in pile size) that the changes do not affect the previous analyses, take estimates, or mitigation and monitoring requirements; and

- (2) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

- Upon review of the request for renewal, the status of the affected species or stocks, and any other

pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures remain the same and appropriate, and the initial findings remain valid.

An additional public comment period of 15 days (for a total of 45 days), with direct notice by email, phone, or postal service to commenters on the initial IHA, is provided to allow for any additional comments on the proposed renewal. A description of the renewal process may be found on our website at: <https://www.fisheries.noaa.gov/iha-renewals>.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216–6A, NMFS must review our proposed action (*i.e.*, the issuance of an incidental harassment authorization) with respect to potential impacts on the human environment. This action is consistent with categories of activities identified in Categorical Exclusion B4 (incidental harassment authorizations with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216–6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has preliminarily determined that the issuance of the renewal IHA qualifies to be categorically excluded from further NEPA review. We will review all comments submitted in response to this notice prior to concluding our NEPA process or making a final decision on the IHA request.

History of Request

On April 13, 2018, NMFS issued an IHA to the Society to take marine mammals incidental to the lighthouse maintenance and preservation project at NWSR, Del Norte County, California (83 FR 19254, May 2, 2018), effective from February 19, 2018 through February 18, 2019. On December 6, 2018, NMFS received an application for the renewal of that initial IHA. As described in the application for renewal, the activities for which incidental take is requested are identical to those covered in the initial authorization. As required, the applicant also provided a preliminary monitoring report (available at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other->

activities) which confirms that the applicant has implemented the required mitigation and monitoring, and which also shows that no impacts of a scale or nature not previously analyzed or authorized have occurred as a result of the activities conducted.

Description of the Specified Activities and Anticipated Impacts

The Station is located on NWSR offshore from Crescent City, California in the northeast Pacific Ocean. NWSR rises approximately 5.18 meters (m) (17 feet (ft)) above sea level. Because NWSR has no safe landing for boats, the islet is accessed only by helicopter. The Society visits the Station to conduct lighthouse renovations and periodic maintenance on the Station's optical light system, as well as public tours of the historic lighthouse. Station visits occur one weekend per month (Friday, Saturday, and Sunday), from November through April. The following specific aspects of the proposed activities would likely result in the take of marine mammals: Acoustic and visual stimuli from (1) helicopter landings/takeoffs; (2) noise generated during restoration activities (*e.g.*, painting, plastering, welding, and glazing); (3) maintenance activities (*e.g.*, bulb replacement and automation of the light system); and (4) human presence. These activities are identical to those analyzed in the initial IHA issued by NMFS, described in detail in the **Federal Register** notice of proposed IHA (83 FR 8841, March 1, 2018). As in the initial authorization, NMFS anticipates that take, by Level B harassment only, of California sea lions (*Zalophus californianus*), Pacific harbor seals (*Phoca vitulina*), Steller sea lions (*Eumetopias jubatus*) of the eastern U.S. Stock, and northern fur seals (*Callorhinus ursinus*) could result from the specified activity (83 FR 19254, May 2, 2018).

Detailed Description of the Activity

A detailed description of the restoration, maintenance, and tour operations for which take is proposed here may be found in the Notices of the Proposed and Final IHAs for the initial authorization (83 FR 8841, March 1, 2018; 83 FR 19254, May 2, 2018). The location (as described in the *Specific Geographic Region* section of the initial IHA), timing, amount, and nature of the specified activities, including the types of equipment planned for use, are identical to those described in the previous notices. The proposed renewal would be effective for a period of one year from the date of issuance.

Description of Marine Mammals

A description of the marine mammals in the area of the activities for which authorization of take is proposed here, including information on abundance, status, distribution, and hearing, may be found in the **Federal Register** Notice of the Proposed IHA for the initial authorization (83 FR 8841, March 1, 2018). NMFS has reviewed the monitoring data from the initial IHA, recent draft Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature. The draft 2018 Stock Assessment Report notes that the estimated abundance of California sea lions has decreased slightly, however, neither this nor any other new information affects which species or stocks have the potential to be affected or the pertinent information in the section *Description of Marine Mammals in the Area of Specified Activities* contained in the supporting documents for the initial IHA.

Potential Effects on Marine Mammals and Their Habitat

A description of the potential effects of the specified activity on marine mammals and their habitat for the activities for which take is proposed here may be found in the **Federal Register** Notice of the Proposed IHA for the initial authorization (83 FR 8841, March 1, 2018). NMFS has reviewed the monitoring data from the initial IHA, recent draft Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature, and determined that no new information affects our initial analysis of impacts on marine mammals and their habitat.

Estimated Take

Detailed descriptions of the methods and inputs used to estimate take for the specified activity are found in the **Federal Register** Notices of the Proposed and Final IHAs for the initial authorization (83 FR 8841, March 1, 2018; 83 FR 19254, May 2, 2018). Specifically, the number of days of operation and marine mammal occurrence data applicable to this authorization remain unchanged from the previously issued IHA. Similarly, the stocks taken, methods of take, and types of take remain unchanged from the initial IHA, as do the number of takes, which are indicated below in Table 1.

In their 2018 monitoring report, the Society reported a total of 40 takes of California sea lions, three takes of Steller sea lions, and zero takes of

northern fur seals and harbor seals from four visits to NWSR. All takes qualified as Level B harassment in the form of

behavioral disturbance. These take numbers fall far below the take authorized in the initial IHA (83 FR

19254, May 2, 2018) and the identical numbers proposed to be authorized in this IHA, which are indicated below.

TABLE 1—ESTIMATED TAKE OF MARINE MAMMALS

Species	Maximum observed per day	Days of proposed activity	Estimated take	Stock abundance	Percent of stock
California sea lion (<i>Zalophus californianus</i>)	160	18	2,880	257,606	1.1
Steller sea lion (<i>Eumetopias jubatus</i>)	155	18	2,790	41,638	6.7
Pacific harbor seal (<i>Phoca vitulina</i>)	2	18	36	30,968	0.35
Northern fur seal (<i>Callorhinus ursinus</i>)	1	18	18	14,050	0.12

Description of Required Mitigation, Monitoring, and Reporting Measures

The proposed mitigation, monitoring, and reporting measures included as requirements in this authorization are identical to those included in the **Federal Register** Notice announcing the issuance of the initial 2018 IHA, and the discussion of the least practicable adverse impact included in that document (83 FR 19254, May 2, 2018) and the Notice of the proposed IHA (83 FR 19254, May 2, 2018) remains accurate. The same following measures are proposed for inclusion in this IHA:

The Society would conduct restoration and touring activities at a maximum of once per month over the course of the year, with the exception of between May 1, 2019 through October 31, 2019 when no restoration or touring activities would occur (barring potential emergency light repairs during this time). Each restoration session would last no more than three days. Maintenance of the light beacon would occur only in conjunction with restoration activities (except if an emergency light repair is needed from May 1, 2019 through October 31, 2019).

The Society would ensure that its helicopter approach patterns to the Station and timing techniques would be conducted at times when marine mammals are less likely to be disturbed. To the extent possible, the helicopter should approach NWSR when the tide is too high for the marine mammals to haul out on NWSR. Additionally, since the most severe impacts (stampede) precede rapid and direct helicopter approaches, the Society’s initial approach to the station must be offshore from the island at a relatively high altitude (e.g., 800–1,000 ft, or 244–305 m). Before the final approach, the helicopter must circle lower and approach from the area with the lowest pinniped density. If for any safety

reasons (e.g., wind condition) the Society cannot conduct these types of helicopter approach and timing techniques, they must postpone the restoration and maintenance activities for that day.

The Society would instruct its members and restoration crews to avoid making unnecessary noise and avoid visual detection by pinnipeds around the base of the station. Although Crescent Coastal Research reported no impacts from these activities in a 2001 study (CCR 2001), it is relatively simple for the Society to avoid this potential impact. The door to the lower platform shall remain closed and barricaded to all tourists and other personnel since the lower platform is used at times by pinnipeds.

A NMFS approved, experienced biologist will be present on the first flight of each day of the activity. This observer will be able to identify all species of pinnipeds expected to use the island, and qualified to determine age and sex classes when viewing conditions allow. The observer would record data including species counts, numbers of observed disturbances, and descriptions of the disturbance behaviors during the activities, including location, date, and time of the event. In addition, the Society would record observations regarding the number and species of any marine mammals either observed in the water or hauled out.

Aerial photographic surveys provide an accurate means of documenting species composition, age, and sex class of pinnipeds using the project site during human activity periods. The Society should complete aerial photo coverage from the same helicopter used to transport the Society’s personnel to the island during restoration trips. The Society would take photographs of all marine mammals hauled out on the island from an altitude greater than 300

m (984 ft) by a skilled photographer, on the first flight of each day of activities. These photographs will be forwarded to a biologist capable of discerning marine mammal species. Data shall be provided to NMFS in the form of a report with a data table, any other significant observations related to marine mammals, and a report of restoration activities (see below). The original photographs would be made available to NMFS or other marine mammal experts for inspection and further analysis, if requested.

The Society would submit a draft report to NMFS’ Office of Protected Resources no later than 90 days after the conclusion of restoration activities in April. The report will include a summary of the information gathered pursuant to the monitoring requirements described here and set forth in the final IHA. The Society will submit a final report to NMFS within 30 days after receiving comments from NMFS on the draft report. If the Society receives no comments from NMFS on the draft report, NMFS will consider the draft report to be the final report.

The report will describe the operations conducted and sightings of marine mammals near the project. The report will provide:

1. A summary and table of the dates, times, and weather during all activities;
2. Species, number, location, and behavior of any marine mammals observed throughout all monitoring activities;
3. An estimate of the number (by species) of marine mammals exposed to human presence associated with the Society’s activities; and
4. A description of the implementation and effectiveness of the monitoring and mitigation measures of the IHA and full documentation of methods, results, and interpretation pertaining to all monitoring.

Public Comments

As noted previously, NMFS published a notice of a proposed IHA (83 FR 8841, March 1, 2018) and solicited public comments on both our proposal to issue the initial IHA for lighthouse restoration, maintenance, and tour operations, and on the potential for a renewal, should certain requirements be met.

All public comments were addressed in the notice announcing the issuance of the initial IHA (83 FR 19254, May 2, 2018). Below, we describe how we have addressed, with updated information where appropriate, any comments received that specifically pertain to the renewal of the 2018 IHA.

Comment: The Marine Mammal Commission (Commission) requested clarification of certain issues associated with NMFS's notice that one-year renewals can be issued in certain limited circumstances and expressed concern that the process would bypass the public notice and comment requirements. The Commission also suggested that NMFS should discuss the possibility of renewals through a more general route, such as a rulemaking, instead of notice in a specific authorization. The Commission further recommended that if NMFS did not pursue a more general route, that the agency provide the Commission and the public with a legal analysis supporting our conclusion that this process is consistent with the requirements of section 101(a)(5)(D) of the MMPA.

Response: The notice of the proposed IHA expressly notified and invited comment from the public on the possibility that under certain, limited conditions the applicant could seek a renewal IHA for an additional year. The notice described the conditions under which such a renewal request could be considered and expressly sought public comment in the event such a renewal were sought. Further, since issuance of the initial IHA NMFS has modified the renewal process to provide notice through the **Federal Register** and an additional 15-day public comment period at the time the renewal IHA is requested. NMFS also will provide direct notice of the proposed renewal to those who commented on the initial IHA, to provide an opportunity to submit any additional comments.

We appreciate the Commission's suggestion that NMFS discuss the potential for IHA renewals through a more general route, such as a rulemaking. However, utilizing the public comment process associated with IHAs is more efficient for the agency, while still providing for appropriate

public input into NMFS' decision-making. Further, NMFS' recent modification to the renewal process (*i.e.*, soliciting additional public comment at the time of a renewal request) should alleviate the Commission's concern about the lack of additional public comment and need for a more general rulemaking.

For more information, NMFS has published a description of the renewal process on our website (available at <https://www.fisheries.noaa.gov/iha-renewals>).

Preliminary Determinations

The lighthouse restoration, maintenance, and public tour activities proposed by the Society are identical to those analyzed in the initial IHA, as are the number of days of activity, the method of taking, and the effects of the action. The potential effects of the Society's activities are limited to Level B harassment in the form of behavioral disturbance. In analyzing the effects of the activities in the initial IHA, NMFS determined that the Society's activities would have a negligible impact on the affected species or stocks and that the authorized take numbers of each species or stock were small relative to the relevant stocks (*e.g.*, less than 7 percent of all stocks). The numbers of marine mammals proposed to be taken in this authorization are identical to those authorized in the initial IHA. The mitigation measures and monitoring and reporting requirements as described above also are identical to the initial IHA.

NMFS has preliminarily concluded that there is no new information suggesting that our analysis or findings should change from those reached for the initial IHA. This includes consideration of the estimated abundance of California sea lions decreasing slightly. Based on the information and analysis contained here and in the referenced documents, NMFS has determined the following: (1) The required mitigation measures will effect the least practicable impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; (4) the Society's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action; and (5) appropriate monitoring and reporting requirements are included.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally, in this case with the West Coast Region Protected Resources Division Office, whenever we propose to authorize take for endangered or threatened species.

No incidental take of ESA-listed species is proposed or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

Proposed Renewal and Request for Public Comment

As a result of these preliminary determinations, NMFS proposes to issue a renewal IHA to the Society for conducting lighthouse restoration, maintenance, and public tour operations at NWSR once per month, from November through April, provided the previously described mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed renewal can be found at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>. We request comment on our analyses, the proposed renewal, and any other aspect of this Notice for the proposed lighthouse restoration, maintenance, and public tours. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

Dated: March 1, 2019.

Donna S. Wieting,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648–XG817

Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Rocky Intertidal Monitoring Surveys Along the Oregon and California Coasts

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

ACTION: Notice; incidental harassment authorization; request for comments on proposed Renewal.

SUMMARY: NMFS received a request from the Partnership for Interdisciplinary Study of Coastal Oceans (PISCO) at the University of California Santa Cruz (UCSC) for the Renewal of their currently active incidental harassment authorization (IHA) to take marine mammals incidental to rocky intertidal monitoring surveys along the coasts of Oregon and California. These activities are nearly identical to those covered in the current authorization. Pursuant to the Marine Mammal Protection Act, prior to issuing the currently active IHA, NMFS requested comments on both the proposed IHA and the potential for renewing the initial authorization if certain requirements were satisfied. The Renewal requirements have been satisfied and NMFS is now providing an additional 15-day comment period to allow for any additional comments on the proposed Renewal not previously provided during the initial 30-day comment period. Any comments received on the potential Renewal, along with relevant comments on the initial IHA, have been considered in the development of this proposed IHA Renewal, and a summary of agency responses to applicable comments is included in this notice. NMFS will consider any additional public comments prior to making any final decision on the issuance of the requested Renewal, and agency responses will be summarized in the final notice of our decision.

DATES: Comments and information must be received no later than March 22, 2019.

ADDRESSES: Comments should be addressed to Jolie Harrison, Chief, Permits and Conservation Division, Office of Protected Resources, National Marine Fisheries Service. Physical comments should be sent to 1315 East-West Highway, Silver Spring, MD 20910

and electronic comments should be sent to ITP.Pauline@noaa.gov.

Instructions: NMFS is not responsible for comments sent by any other method, to any other address or individual, or received after the end of the comment period. Comments received electronically, including all attachments, must not exceed a 25-megabyte file size. Attachments to electronic comments will be accepted in Microsoft Word or Excel or Adobe PDF file formats only. All comments received are a part of the public record and will generally be posted online at <https://www.fisheries.noaa.gov/node/23111> without change. All personal identifying information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

FOR FURTHER INFORMATION CONTACT: Rob Pauline, Office of Protected Resources, NMFS, (301) 427–8401. Electronic copies of the original application, Renewal request, and supporting documents (including NMFS **Federal Register** notices of the original proposed and final authorizations, and the previous IHA), as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. In case of problems accessing these documents, please call the contact listed above.

SUPPLEMENTARY INFORMATION:**Background**

The Marine Mammal Protection Act (MMPA) prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed incidental take authorization is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and

other “means of effecting the least practicable adverse impact” on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the availability of such species or stocks for taking for certain subsistence uses (referred to here as “mitigation measures”). Monitoring and reporting of such takings are also required. The meaning of key terms such as “take,” “harassment,” and “negligible impact” can be found in section 3 of the MMPA (16 U.S.C. 1362) and the agency’s regulations at 50 CFR 216.103.

50 CFR 216.107(e) of NMFS’ regulations implementing the MMPA indicate that IHAs may be renewed for additional periods of time not to exceed one year for each reauthorization. In the notice of proposed IHA for the initial authorization, NMFS described the circumstances under which we would consider issuing a Renewal for this activity, and requested public comment on a potential Renewal under those circumstances. Specifically, on a case-by-case basis, NMFS may issue a one-year IHA Renewal when (1) another year of identical or nearly identical activities as described in the Specified Activities section is planned or (2) the activities would not be completed by the time the IHA expires and a second IHA would allow for completion of the activities beyond that described in the Dates and Duration section, provided all of the following conditions are met:

- A request for Renewal is received no later than 60 days prior to expiration of the current IHA.

- The request for Renewal must include the following:

- (1) An explanation that the activities to be conducted beyond the initial dates either are identical to the previously analyzed activities or include changes so minor (e.g., reduction in pile size) that the changes do not affect the previous analyses, take estimates, or mitigation and monitoring requirements.

- (2) A preliminary monitoring report showing the results of the required monitoring to date and an explanation showing that the monitoring results do not indicate impacts of a scale or nature not previously analyzed or authorized.

- Upon review of the request for Renewal, the status of the affected species or stocks, and any other pertinent information, NMFS determines that there are no more than minor changes in the activities, the mitigation and monitoring measures remain the same and appropriate, and the initial findings remain valid.

An additional public comment period of 15 days (for a total of 45 days), with direct notice by email, phone, or postal service to commenters on the initial IHA, is provided to allow for any additional comments on the proposed Renewal. A description of the Renewal process may be found on our website at: <https://www.fisheries.noaa.gov/iha-renewals>.

National Environmental Policy Act

To comply with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) and NOAA Administrative Order (NAO) 216-6A, NMFS must review our proposed action (*i.e.*, the issuance of an IHA) with respect to potential impacts on the human environment.

This action is consistent with categories of activities identified in Categorical Exclusion B4 (IHAs with no anticipated serious injury or mortality) of the Companion Manual for NOAA Administrative Order 216-6A, which do not individually or cumulatively have the potential for significant impacts on the quality of the human environment and for which we have not identified any extraordinary circumstances that would preclude this categorical exclusion. Accordingly, NMFS has preliminarily determined that the issuance of the Renewal IHA qualifies to be categorically excluded from further NEPA review.

We will review all comments submitted in response to this notice prior to concluding our NEPA process or making a final decision on the IHA request.

History of Request

On March 8, 2018, NMFS issued an IHA to PISCO to take marine mammals incidental to rocky intertidal monitoring surveys at multiple locations on the coasts of Oregon and California (83 FR 11696; March 16, 2018), effective from March 12, 2018 through March 11, 2019. This multiyear annual survey involves surveying rocky intertidal zones in a number of coastal locations in Oregon and California. NMFS has previously issued five IHAs for this ongoing survey project (77 FR 72327, December 5, 2012; 78 FR 79403, December 30, 2013; 79 FR 73048, December 9, 2014; 81 FR 7319, February 2, 2016; 82 FR 12568, March 6, 2017). On January 8, 2019, NMFS received an application for a Renewal of that 2018 IHA (referred to as the initial IHA henceforth). As described in the application for Renewal, the activities for which incidental take is requested are nearly identical to those covered in the initial IHA. As required, the applicant also provided a preliminary

monitoring report (available at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/incidental-take-authorizations-research-and-other-activities>) which confirms that the applicant has implemented the required mitigation and monitoring, and which also shows that no impacts of a scale or nature not previously analyzed or authorized have occurred as a result of the activities conducted.

Description of the Specified Activities and Anticipated Impacts

PISCO proposes to continue rocky intertidal monitoring work that has been ongoing for 20 years. PISCO focuses on understanding the nearshore ecosystems of the U.S. west coast through a number of interdisciplinary collaborations. The program integrates long-term monitoring of ecological and oceanographic processes at 154 separate sites with experimental work in the lab and field. Research is conducted throughout the year along the California and Oregon coasts and will continue as long as funding is available. The research being conducted under the Renewal would be nearly identical to that analyzed under the initial IHA (one new site added, but no take of marine mammals anticipated), and the anticipated impacts are identical. Researchers accessing and conducting research activities on the sites may occasionally cause behavioral disturbance (or Level B harassment) of three pinniped species at 16 of the sites (described in PISCO's application for the 2018 IHA). PISCO's request is for take of California sea lions (*Zalophus californianus*), harbor seals (*Phoca vitulina richardii*), and northern elephant seals (*Mirounga angustirostris*). PISCO expects that the disturbance to pinnipeds from the research activities will be minimal and will be limited to Level B harassment, as described in the documents associated with the initial IHA.

Detailed Description of the Activity

A detailed description of rocky intertidal monitoring survey activities for which take is authorized here may be found in the Notices of the Proposed and Final IHA for the initial IHA. Overall, the specified geographic region, the amount of activity, and the nature of the activities are identical to those described in previous notices. The frequency of visits and total visits to a particular site may vary across years, and within an annual plan once submitted, but the description of the action and the marine mammal analysis included in the 2018 IHA were designed to capture such variations. As noted above, 154 sites are visited and

surveyed as part of the research, although take of marine mammals does not occur at every site. A few sites are visited monthly, while many sites are surveyed between 1 and 4 times annually. In 2018, a new site that had never been surveyed previously (Waddell) was added to the site inventory as part of a study examining ecosystem level effects of sea star wasting syndrome (SSWS). There are also six additional biodiversity sites (*i.e.*, Ecola, Roads End, Otter Rock, Seal Rock, Graduation Point and North Head) that were not visited or analyzed as part of the initial IHA. The proposed Renewal would be effective for a period of one year from the date of issuance.

Description of Marine Mammals

A description of the marine mammals in the areas of the activity for which authorization of take is proposed may be found in the Notice of the Proposed IHA (83 FR 3308; February 23, 2018) for the initial authorization. NMFS has reviewed the monitoring data from the initial IHA, recent draft Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature, and determined that neither this nor any other new information affects which species or stocks have the potential to be affected or the pertinent information in the Description of the Marine Mammals in the Area of Specified Activities contained in the supporting documents for the initial IHA.

Potential Effects on Marine Mammals and Their Habitat

A description of the potential effects of the specified activity on marine mammals and their habitat for the activities for which take is proposed may be found in the Notice of the Proposed IHA (83 FR 3308; February 23, 2018) for the initial authorization. NMFS has reviewed the monitoring data from the initial IHA, recent draft Stock Assessment Reports, information on relevant Unusual Mortality Events, and other scientific literature, and determined that no new information affects our initial analysis of impacts on marine mammals and their habitat.

Estimated Take

Detailed descriptions of the methods and inputs used to estimate take for the specified activity are found in the **Federal Register** Notices of the Proposed (83 FR 3308; February 23, 2018) and Final IHA (83 FR 11696; March 16, 2018) for the initial authorization. As part of the initial IHA, PISCO had estimated that Level B harassment of marine mammals was

likely to occur at 16 sites (see 2018 application), conservatively based on the predicted number of visits to the sites and historical observational data (using maximum observations). These same 16 sites would be surveyed under the proposed Renewal. PISCO is requesting and NMFS is proposing to authorize the same level of take for the 16 sites as was authorized under the initial IHA.

PISCO provided a preliminary draft marine mammal monitoring report covering March 12, 2018 through December 31, 2018 and recorded take by Level B harassment of 87 harbor seals and 1 California sea lion. No northern elephant seal takes were reported. This is well below the total take numbers authorized by NMFS in 2018 (255 harbor seal, 90 California sea lion, and 50 northern elephant seal). The draft monitoring report indicated that take by Level B harassment was recorded at eight sites in 2018 (of 64 sites visited and 5 of the 16 sites at which take was expected). At one site (Government Point), 20 more harbor seals were taken than were predicted at that site, however, at other sites fewer marine mammals were taken than predicted. Variation in predicted marine mammal presence is expected across sites, and, further, as described in the 2018 application and IHA notices, the number of predicted visits to a particular site may also vary. However, the conservative take estimate methodology is expected to continue to ensure that the total authorized take and effect analysis remains appropriate.

There is one new site, Waddell, which was not addressed in the initial IHA, since PISCO had not secured funding for the SSWS study when the initial authorization was issued. PISCO did, however, monitor and record observations during 10 visits to Waddell between March and December 2018 after funding had been secured and recorded one harbor seal. Seals are known to be rare at the Waddell site, and with only a single observation over a ten month period at this location, PISCO and NMFS do not believe that take is likely. Therefore, we are not proposing to increase the total numbers of authorized take for harbor seals. There are also six biodiversity sites which would be visited in 2019 that were not visited or analyzed as part of the initial IHA. However, based on historical monitoring records the presence of marine mammals is unlikely and take is not proposed at any of these sites.

Accordingly, NMFS proposes to authorize take by Level B harassment at the same levels that were authorized

under the initial IHA as shown in Table 1 below.

TABLE 1—AUTHORIZED TAKE NUMBERS BY LEVEL B HARASSMENT

Species	Authorized take
Harbor seal	255
California sea lion	90
Northern elephant seal	50

Description of Proposed Mitigation, Monitoring and Reporting Measures

The proposed mitigation, monitoring, and reporting measures included as requirements in this authorization are identical to those included in the **Federal Register** Notice announcing the proposed issuance of the initial IHA. Additionally, the discussion of the least practicable adverse impact included in that document and the Notice of issuance of the IHA remains accurate. The following measures, which are identical to those in the initial IHA, are proposed here for the Renewal:

- Researchers shall observe a site from a distance, using binoculars if necessary, to detect any marine mammals prior to approach to determine if mitigation is required;
- Researchers shall approach a site with caution (slowly and quietly), keep bodies low to the ground and avoid pinnipeds along access ways to sites, by locating and taking a different access way if possible;
- Researchers shall keep a safe distance from and not approach any marine mammal while conducting research, unless it is absolutely necessary to flush a marine mammal in order to continue conducting research (*i.e.*, if a site cannot be accessed or sampled due to the presence of pinnipeds);
- Researchers shall monitor the offshore area for predators (such as killer whales and white sharks) and avoid flushing of pinnipeds when predators are observed in nearshore waters;
- Intentional flushing shall be avoided if pups are present. Staff shall reschedule work at sites where pups are present, unless other means of accomplishing the work can be done without causing disturbance to mothers and dependent pups;
- Any site where Steller sea lions, northern fur seals, or Guadalupe fur seals are present shall not be approached and shall be sampled at a later date;

- Personnel shall vacate the study area as soon as sampling of the site is completed;
- Detailed monitoring information will include species counts, number of disturbances, description of disturbance behaviors, and information regarding physical and biological conditions at a given site;
- Submit a draft monitoring report to NMFS Office of Protected Resources within 60 days after the conclusion of the 2018–2019 field season or 60 days prior to the start of the next field season if a new IHA will be requested; and
- Reporting injured or dead marine mammals to appropriate authorities.

Public Comments

As noted previously, NMFS published a notice of a proposed IHA (83 FR 3308; February 23, 2018) and solicited public comments on both our proposal to issue the initial IHA for rocky intertidal monitoring surveys and on the potential for a Renewal, should certain requirements be met. All public comments were addressed in the notice announcing the issuance of the 2018 IHA (83 FR 11696; March 16, 2018). Below, we describe how we have addressed, with updated information where appropriate, any comments received that specifically pertain to the Renewal of the 2018 IHA.

Comment: The Commission requested clarification of certain issues associated with NMFS's notice that one-year Renewals could be issued in certain limited circumstances and expressed concern that the process would bypass the public notice and comment requirements. The Commission also suggested that NMFS should discuss the possibility of Renewals through a more general route, such as a rulemaking, instead of notice in a specific authorization. The Commission further recommended that if NMFS did not pursue a more general route, that the agency provide the Commission and the public with a legal analysis supporting our conclusion that this process is consistent with the requirements of section 101(a)(5)(D) of the MMPA.

Response: The notice of the proposed initial IHA expressly notified and invited comment from the public on the possibility that under certain, limited conditions the applicant could seek a Renewal IHA for an additional year. The notice described the conditions under which such a Renewal request could be considered and expressly sought public comment in the event such a Renewal were sought. Further, since issuance of the initial IHA NMFS has modified the Renewal process to provide notice through the **Federal Register** and an

additional 15-day public comment period at the time the Renewal IHA is requested. NMFS also will provide direct notice of the proposed Renewal to those who commented on the initial IHA, to provide an opportunity to submit any additional comments.

We appreciate the Commission's suggestion that NMFS discuss the potential for IHA Renewals through a more general route, such as a rulemaking. However, utilizing the public comment process associated with IHAs is more efficient for the agency, while still providing for appropriate public input into NMFS' decision-making. Further, NMFS' recent modification to the Renewal process (*i.e.*, soliciting additional public comment at the time of a Renewal request) should alleviate the Commission's concern about the lack of additional public comment and need for a more general rulemaking.

For more information, NMFS has published a description of the Renewal process on our website (available at <https://www.fisheries.noaa.gov/iha-renewals>).

Preliminary Determinations

In the context of the activities that will result in take of marine mammals, the rocky intertidal monitoring surveys planned by PISCO for 2019 are nearly identical to those conducted under the initial IHA in 2018. A new SSWS and six biodiversity sites would be visited under the proposed Renewal that were not analyzed for the initial IHA, but no takes are anticipated or requested for these locations. These activities could result in Level B harassment consisting of temporary, short-term behavioral disturbance. In analyzing the effects of the activities in the initial IHA, and in consideration of the implementation of the required mitigation, NMFS determined that the total marine mammal take from PISCO's rocky intertidal monitoring program would not adversely affect annual rates of recruitment or survival and, therefore, would have a negligible impact on the affected species or stocks. NMFS also concluded that the numbers of animals authorized for take could be considered small relative to the relevant species or stocks (0.65 – 0.82 percent for harbor seals, and <0.01 percent for California sea lions and northern elephant seals). As discussed above, the same amount of take is proposed for authorization under this Renewal.

Based on the information and analysis contained here and in the referenced documents, NMFS has determined the following: (1) The required mitigation measures will effect the least practicable

impact on marine mammal species or stocks and their habitat; (2) the authorized takes will have a negligible impact on the affected marine mammal species or stocks; (3) the authorized takes represent small numbers of marine mammals relative to the affected stock abundances; (4) PISCO's activities will not have an unmitigable adverse impact on taking for subsistence purposes as no relevant subsistence uses of marine mammals are implicated by this action; and (5) appropriate monitoring and reporting requirements are included.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally, in this case with the ESA Interagency Cooperation Division whenever we authorize take for endangered or threatened species.

No incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

Proposed Renewal and Request for Public Comment

As a result of these preliminary determinations, NMFS proposes to issue an IHA to PISCO for conducting rocky intertidal monitoring surveys off the coasts of Oregon and California for a period of one year, provided the previously described mitigation, monitoring, and reporting requirements are incorporated. A draft of the proposed IHA can be found at <https://www.fisheries.noaa.gov/permit/incidental-take-authorizations-under-marine-mammal-protection-act>. We request comment on our analyses, the proposed Renewal, and any other aspect of this Notice. Please include with your comments any supporting data or literature citations to help inform our final decision on the request for MMPA authorization.

Dated: March 1, 2019.

Donna S. Wieting,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

[FR Doc. 2019-04077 Filed 3-6-19; 8:45 am]

BILLING CODE 3510-22-P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meetings

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 84 FR 7044, March 1, 2019.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 a.m., Thursday, March 7, 2019.

CHANGES IN THE MEETING: The meeting has been cancelled.

CONTACT PERSON FOR MORE INFORMATION: Christopher Kirkpatrick, Secretary of the Commission, 202-418-5964.

Dated: March 5, 2019.

Christopher Kirkpatrick,

Secretary of the Commission.

[FR Doc. 2019-04272 Filed 3-5-19; 4:15 pm]

BILLING CODE 6351-01-P

CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meeting Notice

TIME AND DATE: Wednesday, March 6, 2019; 3:00 p.m.*

PLACE: Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, MD 20814.

STATUS: Commission Meeting—Closed to the Public.

MATTER TO BE CONSIDERED: Compliance Matters: Staff will brief the Commission on the status of a compliance enforcement program.

CONTACT PERSON FOR MORE INFORMATION: Alberta E. Mills, Secretary, Division of the Secretariat, Office of the General Counsel, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, (301) 504-7479.

* The Commission unanimously determined by recorded vote that Agency business requires calling the meeting without seven calendar days advance public notice.

Dated: March 5, 2019.

Alberta E. Mills,

Secretary.

[FR Doc. 2019-04238 Filed 3-5-19; 4:15 pm]

BILLING CODE 6355-01-P

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Docket ID: DOD-2019-OS-0018]

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 May 6, 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 Military Community and Family Policy, Office of Military

Family Readiness, ATTN: Karen Morgan, Alexandria, VA 22350; email karen.s.morgan4.civ@mail.mil or by telephone: (571) 372-0859 or FAX: (571) 372-0884.

SUPPLEMENTARY INFORMATION:

Title; Associated Form; and OMB Number: Department of Defense Consent to Conduct Installation Records Checks (IRC); DD Form 3058; OMB Control Number 0704-ATAF.

Needs and Uses: The information collection requirement is necessary as part of a criminal history background investigation on individual working, volunteering or residing on military installations who come into regular, recurring contact with children under the age of 18 years. The query of records from the installation the Family Advocacy Central Registry and military law enforcement records and the Defense Central Index of Investigations (DCII) will assist the department in obtaining or maintaining an employment suitability or fitness determination for those individuals working with children on military installations. Programs impacted are referenced within the 34 U.S. Code § 20351 (Crime Control Act of 1990) and include impacted individuals such as employees, DoD contractors, providers, adults residing in a family child care home, volunteers, and others with regular recurring contact with children.

Affected Public: Individuals or households.

Annual Burden Hours: 2,333.

Number of Respondents: 14,000.

Responses per Respondent: 1.

Annual Responses: 14,000.

Average Burden per Response: 10 minutes.

Frequency: As required.

Respondents are DoD contractors, family child care providers, family child care adult family members residing in the home, and specified volunteers who provide child care services for children under age 18. This form will be initiated by DoD staff and will be maintained in the initiating DoD offices and/or appropriate human resources or security offices. Respondents are asked to complete the form upon initial employment/participation; every five years (upon reverification); and/or annually for FCC providers.

Dated: March 1, 2019.

Aaron T. Siegel,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 2019-04089 Filed 3-6-19; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Docket ID DOD-2019-OS-0017]

Privacy Act of 1974; System of Records

AGENCY: Washington Headquarters Services, DoD.

ACTION: Rescindment of a System of Records Notice.

SUMMARY: The Office of the Secretary of Defense proposes to rescind System of Records Notice, Correspondence and Task Management System (CATMS), DWHS E06. This information system tracks communications with the Office of the Secretary of Defense (OSD) and coordinates correspondence and staff packages, and does not meet the standard for a Privacy Act system of records.

DATES: Comments will be accepted on or before April 8, 2019. This proposed action will be effective on the date following the end of the comment period unless comments are received which result in a contrary determination. A review of this system was conducted on April 4, 2017, and during this review it was determined that the system does not meet the standard for a Privacy Act system of records. Records are retrieved by alphanumeric reference numbers, not by individual name or other personal identifier.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

* *Federal Rulemaking 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 and docket number 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:

Submit general questions about the rescinded system to Mrs. Luz D. Ortiz, Chief, Records, Privacy and Declassification Division (RPDD), 1155

Defense Pentagon, Washington, DC 20301-1155, or by phone at (571) 372-0478.

SUPPLEMENTARY INFORMATION: Based on a recent review, it was determined that the Department of Defense (DoD) CATMS system used for tracking actions taken and responses from the Office of the Secretary of Defense to the President, White House, other Cabinet officials, Congress, state and local officials, corporate officials, members of the Defense Department, and the public does not constitute a Privacy Act system of records. The records within CATMS are about packages being processed and/or coordinated within DoD rather than individuals. While some of these packages within CATMS might include information that may reference individuals, the packages are not retrieved or retrievable by an individual's name or other personal identifier. Instead, CATMS records are retrieved by action or task identification number.

The Office of the Secretary systems of records notices subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address in **FOR FURTHER INFORMATION CONTACT** or at the Defense Privacy, Civil Liberties, and Transparency Division website at <http://defense.gov/privacy>.

The proposed systems reports, as required by the Privacy Act of 1974, as amended, were submitted on October 19, 2018, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to Section 6 to OMB Circular No. A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act," revised December 23, 2016 (December 23, 2016, 81 FR 94424).

SYSTEM NAME AND NUMBER:

Correspondence and Task Management System (CATMS), DWHS E06.

HISTORY:

August 19, 2009, 74 FR 41870; September 13, 2012, 77 FR 56629; April 9, 2014, 79 FR 19583.

Dated: March 1, 2019.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2019-04093 Filed 3-6-19; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF EDUCATION

[Docket No. ED-2019-ICCD-0020]

Agency Information Collection Activities; Comment Request; NCES System Clearance for Cognitive, Pilot, and Field Test Studies 2019-2022

AGENCY: National Center for Education Statistics (NCES), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

DATES: Interested persons are invited to submit comments on or before May 6, 2019.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2019-ICCD-0020. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the [regulations.gov](http://www.regulations.gov) site is not available to the public for any reason, ED will temporarily accept comments at ICDocketMgr@ed.gov. Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or email and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 550 12th Street SW, PCP, Room 9086, Washington, DC 20202-0023.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Kashka Kubzdela, 202-245-7377 or email NCES.Information.Collections@ed.gov.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the

Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: NCES System Clearance for Cognitive, Pilot, and Field Test Studies 2019-2022.

OMB Control Number: 1850-0803.

Type of Review: An extension of an existing information collection.

Respondents/Affected Public: Individuals or Households.

Total Estimated Number of Annual Responses: 600,000.

Total Estimated Number of Annual Burden Hours: 240,000.

Abstract: This is a request for a 3-year renewal of the generic clearance to allow the National Center for Education Statistics (NCES) to continue to develop, test, and improve its survey and assessment instruments and methodologies. The procedures utilized to this effect include but are not limited to experiments with levels of incentives for various types of survey operations, focus groups, cognitive laboratory activities, pilot testing, exploratory interviews, experiments with questionnaire design, and usability testing of electronic data collection instruments.

Dated: March 4, 2019.

Kate Mullan,

PRA Coordinator, Information Collection Clearance Program, Information Management Branch, Office of the Chief Information Officer.

[FR Doc. 2019-04098 Filed 3-6-19; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION**Tests Determined To Be Suitable for Use in the National Reporting System for Adult Education**

AGENCY: Office of Career, Technical, and Adult Education, Department of Education.

ACTION: Notice.

SUMMARY: The Secretary announces tests, test forms, and delivery formats that the Secretary determines to be suitable for use in the National Reporting System for Adult Education (NRS). This notice relates to the approved information collections under OMB control numbers 1830-0027 and 1830-0567.

FOR FURTHER INFORMATION CONTACT: John LeMaster, Department of Education, 400 Maryland Avenue SW, Room 11-152, Potomac Center Plaza, Washington, DC 20202-7240. Telephone: (202) 245-6218. Email: John.LeMaster@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll-free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

On January 14, 2008, and as amended on August 19, 2016, we published in the **Federal Register** final regulations for 34 CFR part 462, Measuring Educational Gain in the National Reporting System for Adult Education (NRS regulations) (73 FR 2305, Jan. 14, 2008, as amended at 81 FR 55552, Aug. 19, 2016). The NRS regulations established the process the Secretary uses to determine the suitability of tests for use in the NRS by States and local eligible providers. We annually publish in the **Federal Register**, and post on the internet at www.nrsweb.org, a list of the names of tests and the educational functioning levels the tests are suitable to measure in the NRS as required by § 462.12(c)(2).

On September 7, 2017, the Secretary published in the **Federal Register** (82 FR 42339) an annual notice of tests determined to be suitable for use in the NRS (September 2017 notice). In the September 2017 notice, the Secretary announced a new test and test forms that were determined to be suitable for use in the NRS, in accordance with § 462.13.

On February 5, 2018, the Secretary published in the **Federal Register** (83 FR 5087) an annual notice of tests determined to be suitable for use in the NRS (February 2018 notice). In the

February 2018 notice, the Secretary announced a new test and test forms that were determined to be suitable for use in the NRS, in accordance with § 462.13.

On September 21, 2018, the Secretary published in the **Federal Register** (83 FR 47910) an annual notice of tests determined to be suitable for use in the NRS (September 2018 notice). In the September 2018 notice, the Secretary announced a list of English as a Second Language (ESL) tests and test forms determined to be suitable for use in the NRS and approved the tests and test forms for an additional period through February 2, 2021. The Secretary also announced a list of tests with NRS approvals expiring on February 2, 2019, which States and local providers may continue to use during a sunset period ending on June 30, 2019.

In this notice, the Secretary announces a new test and test forms that have also been determined to be suitable for use in the NRS, in accordance with § 462.13. This test measures the NRS educational functioning levels for Mathematics at all Adult Basic Education (ABE) levels, as described in Appendix A of Measures and Methods for the National Reporting System for Adult Education (OMB Control Number 1830-0027). This test and its test forms are approved for a period of 3 years from the publication date of this notice. A 3-year approval is issued with a set of conditions that must be met by the completion of the 3-year time period. If these conditions are met, the test would be approved for continued use in the NRS.

Adult education programs must use only the forms and computer-based delivery formats for the test approved in this document. If a particular test form or computer delivery format is not explicitly specified for a test in this notice or in the September 2017, February 2018, or September 2018 notices, it is not approved for use in the NRS.

Test Determined To Be Suitable for Use in the NRS for A 3-Year Period From The Publication Date of This Notice

The Secretary has determined that the following test is suitable for use in Mathematics at all ABE levels of the NRS for a period of 3 years from the publication date of this notice:

(1) Comprehensive Adult Student Assessment System (CASAS) Math GOALS Series. Forms 900, 913, 914, 917, and 918 are approved for use on

paper and through a computer-based delivery format. Publisher: CASAS, 5151 Murphy Canyon Road, Suite 220, San Diego, CA 92123-4339. Telephone: (800) 255-1036. Internet: www.casas.org/.

Revocation of Tests

Under certain circumstances, the Secretary may revoke the determination that a test is suitable (see § 462.12(e)). If the Secretary revokes the determination of suitability, the Secretary announces through the **Federal Register** and posts on the internet at www.nrsweb.org a notice of that revocation, along with the date by which States and local eligible providers must stop using the revoked test.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (such as braille, large print, audiotape, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: The official version of this document is the document published in the **Federal Register**. You may access the official edition of the **Federal Register** and the Code of Federal Regulations at www.govinfo.gov. 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.

Program Authority: 29 U.S.C. 3292.

Dated: March 4, 2019.

Scott Stump,

Assistant Secretary for Career, Technical, and Adult Education.

[FR Doc. 2019-04152 Filed 3-6-19; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY**Notice of Orders Issued Under Section 3 of the Natural Gas Act During January 2019**

	FE Docket Nos.
ALPHA GAS & ELECTRIC, LLC	18-186-NG
DGSC GP INC	18-190-LNG
DYNEGY MARKETING AND TRADE, LLC	18-191-NG
SEQUENT ENERGY CANADA CORP	18-193-NG
TOTAL GAS & POWER NORTH AMERICA, INC	19-03-NG
NATURGY APROVISIONAMIENTOS S.A	18-189-LNG
	16-199-LNG
ENBRIDGE GAS INC	18-192-NG
	18-71-NG
	17-130-NG
ENHANCED SERVICES OF AMERICA, LLC	19-02-NG
THE CONSUMERS MARKETPLACE INTERNATIONAL TRADING CO. LLC	19-01-NG
CONSTELLATION LNG, LLC	19-05-LNG
CRYOPEAK LNG SOLUTIONS CORPORATION	19-04-LNG

AGENCY: Office of Fossil Energy, Department of Energy.

ACTION: Notice of orders.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy gives notice that during January 2019, it issued orders granting authority to import and export natural gas, to import and export liquefied natural gas (LNG), and vacating prior authorization. These

orders are summarized in the attached appendix and may be found on the FE website at <https://www.energy.gov/fe/listing-doe-fe-authorizations-orders-issued-2019>.

They are also available for inspection and copying in the U.S. Department of Energy (FE-34), Division of Natural Gas Regulation, Office of Regulation, Analysis, and Engagement, Office of Fossil Energy, Docket Room 3E-033,

Forrestal Building, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-9478. The Docket Room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, on February 28, 2019.

Amy Sweeney,
Director, Division of Natural Gas Regulation.

APPENDIX—DOE/FE ORDERS GRANTING IMPORT/EXPORT AUTHORIZATIONS

4328	01/04/19	18-186-NG	Alpha Gas & Electric, LLC	Order 4328 granting blanket authority to import natural gas from Canada.
4329	01/04/19	18-190-LNG	DGSC GP Inc	Order 4329 granting blanket authority to export LNG to Canada by truck.
4330	01/04/19	18-191-NG	Dynegy Marketing and Trade, LLC.	Order 4330 granting blanket authority to import/export natural gas from/to Canada/Mexico.
4331	01/04/19	18-193-NG	Sequent Energy Canada Corp	Order 4331 granting blanket authority to import/export natural gas from/to Canada.
4332	01/23/19	19-03-NG	Total Gas & Power North America, Inc.	Order 4332 granting blanket authority to import/export natural gas from/to Canada/Mexico, and to import LNG from various international sources by vessel.
4333	01/26/19	18-189-LNG; 16-199-LNG	Naturgy Aproveisionamientos S.A	Order 4333 granting blanket authority to import LNG from various international sources, and Order 3974-A vacating prior authority.
4334; 4220-A; 4109-A.	01/26/19	18-192-NG; 18-71-NG; 17-130-NG	Enbridge Gas Inc	Order 4334 granting blanket authority to import/export natural gas from/to Canada, and Orders 4220-A and 4109-A vacating prior authorities.
4335	01/26/19	19-02-NG	Enhanced Energy Services of America, LLC.	Order 4335 granting blanket authority to import natural gas from Canada.
4336	01/26/19	19-01-NG	The Consumers Marketplace International Trading Co. LLC.	Order 4336 granting blanket authority to export natural gas to Canada/Mexico.
4337	01/26/19	19-05-LNG	Constellation LNG, LLC	Order 4326 granting long-term authority to import LNG from Trinidad and Tobago, and various international sources by vessel.
4338	01/26/19	19-04-LNG	Cryopeak LNG Solutions Corporation.	Order 4338 granting blanket authority to import/export LNG from/to Canada/Mexico by truck, and to import LNG from various international sources by vessel.

[FR Doc. 2019-04137 Filed 3-6-19; 8:45 am]
BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Environmental Management Advisory Board

AGENCY: Office of Environmental Management, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Environmental

Management Advisory Board (EMAB). The Federal Advisory Committee Act requires that public notice of this meeting be announced in the **Federal Register**.

DATES: Tuesday, April 23, 2019; 8:00 a.m.–5:00 p.m.

ADDRESSES: U.S. Department of Energy, Skeen-Whitlock Building Auditorium, 4021 National Parks Hwy, Carlsbad, New Mexico 88220.

FOR FURTHER INFORMATION CONTACT: Jennifer McCloskey, EMAB Designated Federal Officer, U.S. Department of

Energy, 1000 Independence Avenue SW, Washington, DC 20585; Phone: (301) 903-7427.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is provide the Assistant Secretary for Environmental Management (EM) with advice and recommendations on corporate issues confronting the EM program. EMAB contributes to the effective operation of the program by providing individual citizens and representatives of interested groups an opportunity to

present their views on issues facing EM and by helping to secure consensus recommendations on those issues.

Tentative Agenda Topics

- Waste Disposition and Regulatory Affairs Update
- Budget and Planning Update
- Field Operations Update
- Public Comment
- Board Business

Public Participation: The meeting is open to the public. The EMAB welcomes the attendance of the public at their advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Jennifer McCloskey at least seven days in advance of the meeting at the phone number listed above. Written statements may be filed either before or after the meeting with the Designated Federal Officer, Jennifer McCloskey, at the address or telephone listed above. Individuals who wish to make oral statements pertaining to agenda items should also contact Jennifer McCloskey. Requests must be received five days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Individuals wishing to make public comment will be provided a maximum of five minutes to present their comments.

Minutes: Minutes will be available by writing or calling Jennifer McCloskey at the address or phone number listed above. Minutes will also be available at the following website: <https://www.energy.gov/em/listings/emab-meetings>.

Signed in Washington, DC, on March 4, 2019.

LaTanya Butler,

Deputy Committee Management Officer.

[FR Doc. 2019-04138 Filed 3-6-19; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 77-285]

Pacific Gas and Electric Company; Notice Soliciting Applications

On April 6, 2017, Pacific Gas and Electric Company (PG&E), licensee for the Potter Valley Project No. 77, filed a

pre-application document (PAD) and notice of its intent (NOI) to file an application for a new license for the 9.4-megawatt project pursuant to section 15(b)(1) of the Federal Power Act (FPA). On January 25, 2019, PG&E filed notice of the withdrawal of its NOI and PAD, indicating it is no longer seeking a new license for the project.

The project is located on the Eel and East Fork Russian Rivers in Lake and Mendocino Counties, California, about 15 miles northeast of the city of Ukiah. Project features include Lake Pillsbury, a 2,300-acre storage reservoir impounded by Scott Dam; 106-acre Van Arsdale Reservoir, impounded by the Cape Horn Diversion Dam; and a tunnel and penstock across a natural divide to the project's powerhouse located in the headwaters of the Russian River Basin. PG&E estimates the average annual generation of the project to be 19,900 megawatt-hours.

Pursuant to Rule 216(b) of the Commission's Rules of Practice and Procedure,¹ a withdrawal of a pleading is effective at the end of 15 days from the date of filing the notice of withdrawal. No motion in opposition to the notice of withdrawal has been filed, and the Commission has taken no action to disallow the withdrawal; thus, the withdrawal became effective on February 11, 2019.²

Any party interested in filing a license application for a new license for a project must first file a NOI and PAD.³ Although the Integrated Licensing Process (ILP) is the default pre-filing process, section 5.3(b) of the Commission's regulations allows a potential license applicant to request to use alternative licensing procedures when it files its NOI.⁴ A potential applicant may also include a proposal to complete the ILP pre-filing process that PG&E has already begun. As part of the pre-filing process, the Commission issued a Study Plan Determination for the project on February 15, 2018, approving 21 study plans.

This notice sets a deadline of 120 days from the date of this notice for interested applicants, other than the existing licensee, to file NOIs, PADs, and requests to complete the pre-filing

¹ 18 CFR 385.216(b) (2018).

² The Commission's Rules of Practice and Procedure provide that if the last day of any time period falls on a Saturday, Sunday, holiday, or other day when the Commission is closed for business, the period does not end until the close of business on the next business day. 18 CFR 385.2007(a)(2) (2018). Because the 15-day time period fell on a Saturday (February 9, 2019), the period was extended until the close of business on Monday, February 11, 2019.

³ 18 CFR 5.5 (2018).

⁴ 18 CFR 5.3(b) (2018).

stages of the licensing process as discussed above.

In the event that no other applicant files an application for a license by April 14, 2020, the current licensee will be provided with written notice that no timely application for the project has been filed.⁵ Within 90 days of such written notice, the current licensee must file a schedule for the filing of a surrender application for the project.⁶

Questions concerning this notice should be directed to Alan Mitchnick, (202) 502-6074 or alan.mitchnick@ferc.gov.

Dated: March 1, 2019.

Kimberly D. Bose,
Secretary.

[FR Doc. 2019-04150 Filed 3-6-19; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 2496-284]

Eugene Water & Electric Board; 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:* Non-capacity amendment of license.
- b. *Project No.:* 2496-284.
- c. *Date Filed:* February 5, 2019.
- d. *Applicant:* Eugene Water & Electric Board.
- e. *Name of Project:* Leaburg-Walterville Hydroelectric Project.
- f. *Location:* On the McKenzie River in Lane County, Oregon.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791a-825r.
- h. *Applicant Contacts:* Mr. Frank Lawson, Ms. Robin Leighty, or Ms., Eugene Water & Electric Board, 500 East 4th Avenue, P.O. Box 10148, Eugene, OR 97440, (541) 685-7000, frank.lawson@eweb.org, robin.leighty@eweb.org, and lisa.mclaughlin@eweb.org, respectively.
- i. *FERC Contact:* Mr. Jeremy Jessup, (202) 502-6779, Jeremy.Jessup@ferc.gov.
- j. *Deadline for filing comments, motions to intervene, and protests is 30 days from the issuance of this notice by the Commission.*

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, and protests using

⁵ 18 CFR 16.26(a) (2018).

⁶ 18 CFR 16.26(b) (2018).

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-2496-284.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Description of Request:* The applicant proposes to remove several transmission lines from the project and amend the project boundary accordingly. Specifically, the licensee is proposing to remove: (1) Two non-project 115 kV transmission lines, totaling 5.6 miles, which were never primary transmission lines of the project; (2) a 6.53-mile-long, 69-kV transmission line between the Walterville Substation and the Hayden Bridge Substation, which no longer qualifies as primary transmission line following system modifications; and (3) approximately 7.16 miles of each of two 69-kV lines, which will no longer qualify as primary transmission lines after the connection between Leaburg generation and the new Holden Creek Substation.

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. Agencies may obtain copies of the application directly from the applicant.

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 Responsive Documents:* Any filing must (1) bear in all capital letters the title COMMENTS, PROTEST, or MOTION TO INTERVENE, (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 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. A copy of all other filings in reference to this application 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 4.34(b) and 385.2010.

Dated: March 1, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019-04151 Filed 3-6-19; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. AD19-12-000]

Security Investments for Energy Infrastructure Technical Conference; Supplemental Notice of Technical Conference

Take notice that the Federal Energy Regulatory Commission (Commission) and the United States Department of Energy (DOE) will co-host a Security Investments for Energy Infrastructure Technical Conference (conference) on Thursday, March 28, 2019, from 10:00 a.m. to 4:00 p.m. This Commissioner- and DOE senior official-led conference will be held in the Commission Meeting Room at the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. The purpose of the conference is to discuss current cyber and physical security practices used to protect energy infrastructure and will explore how federal and state authorities can provide incentives and cost recovery for security investments in energy infrastructure, particularly the electric and natural gas sectors. Attached is the preliminary agenda for this event. Further details of this conference will be provided in a supplemental notice.

The conference will be open and free to the public; however, interested attendees are encouraged to preregister online at: <https://www.ferc.gov/whats-new/registration/03-28-19-form.asp>. In-person attendees should allow ample time to pass through building security procedures before the 10:00 a.m. start time of the conference.

The Commission intends to solicit post-technical conference comments and will issue a public notice with further directions following the conclusion of the conference.

Information regarding the conference will be posted on the Calendar of Events on the Commission's website, <http://www.ferc.gov>, prior to the event. The conference will also be webcast and transcribed. Anyone with internet access who desires to listen to this event can do so by navigating to the Calendar of Events at <http://www.ferc.gov> and locating this event in the Calendar. The event will contain a link to the webcast. The Capitol Connection provides technical support for webcasts and offers the option of listening to the meeting via phone-bridge for a fee. If you have any questions, visit <http://www.CapitolConnection.org> or call (703) 993-3100. Transcripts of the technical conference will be available for a fee

from Ace-Federal Reporters, Inc. at (202) 347-3700.

Commission conferences are accessible under section 508 of the Rehabilitation Act of 1973. For accessibility accommodations, please send an email to accessibility@ferc.gov or call toll free 1 (866) 208-3372 (voice) or (202) 502-8659 (TTY), or send a fax to (202) 208-2106 with the required accommodations.

For more information about this technical conference, please contact Carolyn Templeton by phone at (202) 502-8785 or by email at carolyn.templeton@ferc.gov. For information related to logistics, please contact Sarah McKinley at (202) 502-8368 or by email at sarah.mckinley@ferc.gov.

Dated: March 1, 2019.

Kimberly D. Bose,
Secretary.

[FR Doc. 2019-04145 Filed 3-6-19; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP19-52-000]

Natural Gas Pipeline Company of America, LLC; Notice of Intent To Prepare an Environmental Assessment for the Proposed Lockridge Extension Pipeline Project and Request for Comments on Environmental Issues

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the Lockridge Extension Pipeline Project involving construction and operation of facilities by Natural Gas Pipeline Company of America, LLC (Natural) in Ward, Reeves, and Pecos Counties, Texas. The Commission will use this EA in its decision-making process to determine whether the project is in the public convenience and necessity.

This notice announces the opening of the scoping process the Commission will use to gather input from the public and interested agencies about issues regarding the project. The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from its action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires the Commission to discover concerns the public may have about proposals. This process is referred

to as scoping. The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this notice, the Commission requests public comments on the scope of issues to address in the EA. To ensure that your comments are timely and properly recorded, please submit your comments so that the Commission receives them in Washington, DC on or before 5:00pm Eastern Time on April 1, 2019.

You can make a difference by submitting your specific comments or concerns about the project. Your comments should focus on the potential environmental effects, reasonable alternatives, and measures to avoid or lessen environmental impacts. Your input will help the Commission staff determine what issues they need to evaluate in the EA. Commission staff will consider all filed comments during the preparation of the EA.

If you sent comments on this project to the Commission before the opening of this docket on January 18, 2019, you will need to file those comments in Docket No. CP19-52-000 to ensure they are considered as part of this proceeding.

This notice is being sent to the Commission's current environmental mailing list for this project. State and local government representatives should notify their constituents of this proposed project and encourage them to comment on their areas of concern.

If you are a landowner receiving this notice, a pipeline company representative may contact you about the acquisition of an easement to construct, operate, and maintain the proposed facilities. The company would seek to negotiate a mutually acceptable easement agreement. You are not required to enter into an agreement. However, if the Commission approves the project, that approval conveys with it the right of eminent domain. Therefore, if you and the company do not reach an easement agreement, the pipeline company could initiate condemnation proceedings in court. In such instances, compensation would be determined by a judge in accordance with state law.

Natural provided landowners with a fact sheet prepared by the FERC entitled *An Interstate Natural Gas Facility On My Land? What Do I Need To Know?* This fact sheet addresses a number of typically asked questions, including the use of eminent domain and how to participate in the Commission's proceedings. It is also available for viewing on the FERC website (www.ferc.gov) at <https://www.ferc.gov/resources/guides/gas/gas.pdf>.

Public Participation

The Commission offers a free service called eSubscription which makes it easy to stay informed of all issuances and submittals regarding the dockets/projects to which you subscribe. These instant email notifications are the fastest way to receive notification and provide a link to the document files which can reduce the amount of time you spend researching proceedings. To sign up go to www.ferc.gov/docs-filing/esubscription.asp.

For your convenience, there are three methods you can use to submit your comments to the Commission. 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, which is located on the Commission's website (www.ferc.gov) under the link to *Documents and Filings*. Using eComment 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, which is located 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 will be asked to select the type of filing you are making; a comment on a particular project is considered a 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 the project docket number (CP19-52-000) with your submission: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426.

Summary of the Proposed Project

Natural proposes to construct, install, operate, and maintain the Project, which would provide up to 500 million standard cubic feet per day of firm transportation capacity southbound on Natural's existing Lockridge Pipeline and the proposed project to the new bidirectional interconnect with Trans-Pecos Pipeline, LLC at the Waha Hub, a major natural gas trading point in the Gulf region.

The Lockridge Extension Pipeline Project would consist of the following facilities:

- Approximately 16.8 miles, of new 30-inch-diameter pipeline in Ward, Reeves, and Pecos Counties, Texas;
- a new bidirectional interconnect, including two 10-inch-diameter ultrasonic meter runs and a 30-inch-diameter tap in Pecos County, Texas; and
- appurtenant and auxiliary facilities, including:
 - two 30-inch-diameter tees, valves, and risers for potential future use;
 - piping and valves to interconnect the pipeline extension to the existing Lockridge Pipeline in Ward County, Texas; and
 - relocating the pig receiver currently at the beginning of the pipeline extension to the end of pipeline extension in Pecos County, Texas.¹

The general location of the project facilities is shown in appendix 1.²

Land Requirements for Construction

The proposed construction workspace for the project (*i.e.*, temporary workspace, additional temporary workspace, access roads, contractor yards, aboveground appurtenant facilities) is approximately 341 acres. Operation of the project facilities would require approximately 103 acres that would be maintained as new permanent operational rights-of-way or as fee property for the aboveground appurtenant facilities and associated access roads.

Approximately 91 percent of the proposed pipeline extension would be parallel and adjacent to existing utility (pipeline and powerline) rights-of-way.

The EA Process

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils;
- water resources and wetlands;
- vegetation and wildlife;
- threatened and endangered species;
- cultural resources;
- land use;
- air quality and noise;
- public safety; and
- cumulative impacts

¹ A pig is a tool that the pipeline company inserts into and pushes through the pipeline for cleaning the pipeline, conducting internal inspections, or other purposes.

² The appendices referenced in this notice will not appear in the **Federal Register**. Copies of 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.

Commission staff will also evaluate reasonable alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

The EA will present Commission staffs' independent analysis of the issues. The EA will be available in electronic format in the public record through eLibrary³ and the Commission's website (<https://www.ferc.gov/industries/gas/enviro/eis.asp>). If eSubscribed, you will receive instant email notification when the EA is issued. The EA may be issued for an allotted public comment period. Commission staff will consider all comments on the EA before making recommendations to the Commission. To ensure Commission staff have the opportunity to address your comments, please carefully follow the instructions in the Public Participation section, beginning on page [2].

With this notice, the Commission is asking agencies with jurisdiction by law and/or special expertise with respect to the environmental issues of this project to formally cooperate in the preparation of the EA.⁴ Agencies that would like to request cooperating agency status should follow the instructions for filing comments provided under the Public Participation section of this notice.

Consultation Under Section 106 of the National Historic Preservation Act

In accordance with the Advisory Council on Historic Preservation's implementing regulations for section 106 of the National Historic Preservation Act, the Commission is using this notice to initiate consultation with the applicable State Historic Preservation Office, and to solicit their views and those of other government agencies, interested Native American Tribes, and the public on the project's potential effects on historic properties.⁵ The EA for this project will document findings on the impacts on historic properties and summarize the status of consultations under section 106.

³ For instructions on connecting to eLibrary, refer to the last page of this notice.

⁴ The Council on Environmental Quality regulations addressing cooperating agency responsibilities are at Title 40, Code of Federal Regulations, Part 1501.6.

⁵ The Advisory Council on Historic Preservation's regulations are at Title 36, Code of Federal Regulations, Part 800. Those regulations define historic properties as any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places.

Environmental Mailing List

The environmental mailing list includes federal, state, and local government representatives and agencies; elected officials; environmental and public interest groups; Native American Tribes; other interested parties; and local libraries and newspapers. This list also includes all affected landowners (as defined in the Commission's regulations) who are potential right-of-way grantors, whose property may be used temporarily for project purposes, or who own homes within certain distances of aboveground facilities, and anyone who submits comments on the project. Commission staff will update the environmental mailing list as the analysis proceeds to ensure that Commission notices related to this environmental review are sent to all individuals, organizations, and government entities interested in and/or potentially affected by the proposed project.

If the Commission issues the EA for an allotted public comment period, a *Notice of Availability* of the EA will be sent to the environmental mailing list and will provide instructions to access the electronic document on the FERC's website (www.ferc.gov). If you need to make changes to your name/address, or if you would like to remove your name from the mailing list, please return the attached "Mailing List Update Form" (appendix 2).

Additional Information

Additional information about the project is available from the Commission's Office of External Affairs, at (866) 208-FERC, or on the FERC website at www.ferc.gov using the eLibrary link. Click on the eLibrary link, click on General Search and enter the docket number in the Docket Number field, excluding the last three digits (*i.e.*, CP19-52). Be sure you have selected an appropriate date range. For assistance, please contact FERC Online Support at FercOnlineSupport@ferc.gov or (866) 208-3676, or for TTY, contact (202) 502-8659. The eLibrary link also provides access to the texts of all formal documents issued by the Commission, such as orders, notices, and rulemakings.

Public sessions or site visits will be posted on the Commission's calendar located at www.ferc.gov/EventCalendar/EventsList.aspx along with other related information.

Dated: March 1, 2019.

Kimberly D. Bose,
Secretary.

[FR Doc. 2019-04147 Filed 3-6-19; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. EL19-43-000]

Advanced Energy Economy; Sustainable FERC Project; Notice of Petition for Declaratory Order

Take notice that on February 13, 2019, pursuant to Rule 207 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure,¹ Advanced Energy Economy and Sustainable FERC Project (collectively, Petitioners), filed a petition for declaratory order requesting that the Commission find that ISO New England, Inc. may not retroactively revise approved FCA 13 Qualification Packages to introduce new Measurement and Verification standards. Petitioners also request that the Commission find that in order to change the requirements for energy efficiency resources going forward, Regional Transmission Organizations/Independent System Operators must follow the appropriate process for changing its tariff, all as more fully explained in the petition.

Any person desiring to intervene or to protest in this proceeding must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioners.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at <http://www.ferc.gov>. To facilitate electronic service, persons with internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 5 copies of the intervention or protest to the

Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

The filings in the above proceeding are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 p.m. Eastern time on March 14, 2019.

Dated: February 19, 2019.

Kimberly D. Bose,

Secretary.

[FR Doc. 2019-04148 Filed 3-6-19; 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: EC19-62-000.

Applicants: RE Mustang LLC, RE Mustang 3 LLC, RE Mustang 4 LLC.

Description: Application for Authorization Under Section 203 of the Federal Power Act, et al. of RE Mustang LLC, et al.

Filed Date: 2/27/19.

Accession Number: 20190227-5204.

Comments Due: 5 p.m. ET 3/20/19.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER17-801-003.

Applicants: Constellation Power Source Generation, LLC.

Description: Compliance filing: Informational Filing Regarding Gould Street Deactivation to be effective N/A.

Filed Date: 3/1/19.

Accession Number: 20190301-5159.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER18-1639-003.
Applicants: Constellation Mystic Power, LLC.

Description: Compliance filing: Mystic Agreement Compliance Filing to be effective 6/1/2022.

Filed Date: 3/1/19.

Accession Number: 20190301-5209.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-601-002.

Applicants: AEP Energy Partners, Inc., Appalachian Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Wheeling Power Company, Public Service Company of Oklahoma, AEP Texas Inc., Southwestern Electric Power Company.

Description: Tariff Amendment: MBR Tariff, FERC Electric Tariff for Market Based Sales to be effective 3/1/2019.

Filed Date: 2/28/19.

Accession Number: 20190228-5005.

Comments Due: 5 p.m. ET 3/14/19.

Docket Numbers: ER19-606-002.

Applicants: AEP Generation Resources Inc., Appalachian Power Company, Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Wheeling Power Company, Public Service Company of Oklahoma, AEP Texas Inc., Southwestern Electric Power Company.

Description: Tariff Amendment: MBR Tariff, FERC Electric Tariff For Market-Based Sales to be effective 3/1/2019.

Filed Date: 2/28/19.

Accession Number: 20190228-5000.

Comments Due: 5 p.m. ET 3/14/19.

Docket Numbers: ER19-1139-000.

Applicants: AEP Generation Resources Inc., Appalachian Power Company, AEP Energy Partners, Inc., Indiana Michigan Power Company, Kentucky Power Company, Kingsport Power Company, Wheeling Power Company.

Description: § 205(d) Rate Filing: MBR AEP Operating Companies Market Based Rates Tariff to be effective 3/1/2019.

Filed Date: 2/28/19.

Accession Number: 20190228-5002.

Comments Due: 5 p.m. ET 3/14/19.

Docket Numbers: ER19-1140-000.

Applicants: Public Service Company of Oklahoma, AEP Texas Inc., Southwestern Electric Power Company, AEP Generation Resources Inc., AEP Energy Partners, Inc.

Description: § 205(d) Rate Filing: Market-Based Rates Tariff to be effective 3/1/2019.

Filed Date: 2/28/19.

Accession Number: 20190228-5003.

Comments Due: 5 p.m. ET 3/14/19.

Docket Numbers: ER19-1155-000.

Applicants: Black Hills Electric Generation, LLC.

Description: § 205(d) Rate Filing: Request for Authorization of Affiliate Transactions to be effective 4/29/2019.

Filed Date: 2/28/19.

Accession Number: 20190228-5272.

Comments Due: 5 p.m. ET 3/21/19.

Docket Numbers: ER19-1156-000.

Applicants: Midcontinent Independent System Operator, Inc.

¹ 18 CFR 385.207.

Description: § 205(d) Rate Filing: 2019-02-28 Revisions to Cost Allocation for Interregional Economic Projects to be effective 6/28/2019.

Filed Date: 2/28/19.

Accession Number: 20190228-5273.

Comments Due: 5 p.m. ET 4/1/19.

Docket Numbers: ER19-1157-000.

Applicants: Cottonwood Energy Company LP.

Description: Tariff Cancellation: Notice of Cancellation partial to be effective 2/28/2019.

Filed Date: 3/1/19.

Accession Number: 20190301-5003.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1158-000.

Applicants: Midcontinent

Independent System Operator, Inc.

Description: § 205(d) Rate Filing: 2019-03-01 Uninstructed Deviations True-Up Filing to be effective 5/1/2019.

Filed Date: 3/1/19.

Accession Number: 20190301-5050.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1159-000.

Applicants: Southwest Power Pool, Inc.

Description: § 205(d) Rate Filing: Revisions to Attachment M Appendix 1 to Update the Loss Factor for SPS to be effective 4/1/2019.

Filed Date: 3/1/19.

Accession Number: 20190301-5054.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1160-000.

Applicants: Duke Energy Progress, LLC.

Description: § 205(d) Rate Filing: DEP-NCEMC RS No. 182 (Sixth Amended) to be effective 1/1/2018.

Filed Date: 3/1/19.

Accession Number: 20190301-5118.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1161-000.

Applicants: El Paso Electric Company.

Description: Notice of Termination of Large Generator Interconnection Agreement of El Paso Electric Company.

Filed Date: 2/28/19.

Accession Number: 20190228-5345.

Comments Due: 5 p.m. ET 3/21/19.

Docket Numbers: ER19-1162-000.

Applicants: Calpine Mid Merit, LLC.

Description: § 205(d) Rate Filing: Filing of Easement, Shared Facilities and Support Agreement to be effective 3/2/2019.

Filed Date: 3/1/19.

Accession Number: 20190301-5200.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1163-000.

Applicants: PJM Interconnection, L.L.C.

Description: Tariff Cancellation: Notice of Cancellation of ISA SA No. 4620, Queue No. AA1-085 to be effective 4/26/2019.

Filed Date: 3/1/19.

Accession Number: 20190301-5230.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1164-000.

Applicants: Constellation Mystic Power, LLC.

Description: § 205(d) Rate Filing: Mystic Agreement Amendment Filing to be effective 6/1/2022.

Filed Date: 3/1/19.

Accession Number: 20190301-5240.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1165-000.

Applicants: AEP Generation

Resources Inc.

Description: § 205(d) Rate Filing: Reactive Supply and Voltage Control Cardinal & Conesville to be effective 6/1/2019.

Filed Date: 3/1/19.

Accession Number: 20190301-5242.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1166-000.

Applicants: ISO New England Inc.

Description: Thirteenth Forward Capacity Auction Results of ISO New England Inc.

Filed Date: 2/28/19.

Accession Number: 20190228-5357.

Comments Due: 5 p.m. ET 4/12/19.

Docket Numbers: ER19-1167-000.

Applicants: Duke Energy Carolinas, LLC.

Description: Notice of Cancellation of Conforming Jurisdictional Agreements of Duke Energy Carolinas, LLC.

Filed Date: 2/28/19.

Accession Number: 20190228-5358.

Comments Due: 5 p.m. ET 3/21/19.

Docket Numbers: ER19-1168-000.

Applicants: Pacific Gas and Electric Company.

Description: Notice of Termination of Small Generator Interconnection Agreement Service Agreement No. 131 of Pacific Gas and Electric Company.

Filed Date: 2/28/19.

Accession Number: 20190228-5359.

Comments Due: 5 p.m. ET 3/21/19.

Docket Numbers: ER19-1169-000.

Applicants: Northern Indiana Public Service Company.

Description: § 205(d) Rate Filing: Filing of a CIAC Agreement to be effective 2/26/2019.

Filed Date: 3/1/19.

Accession Number: 20190301-5269.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1170-000.

Applicants: Pacific Gas and Electric Company.

Description: Notice of Termination of Generator Interconnection and Special Facilities Agreement Service Agreement No. 10 of Pacific Gas and Electric Company.

Filed Date: 2/28/19.

Accession Number: 20190228-5363.

Comments Due: 5 p.m. ET 3/21/19.

Docket Numbers: ER19-1171-000.

Applicants: Wisconsin Electric Power Company.

Description: § 205(d) Rate Filing: 2017 Formula Rate Update Filing to be effective 9/2/2017.

Filed Date: 3/1/19.

Accession Number: 20190301-5289.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1172-000.

Applicants: Wisconsin Electric Power Company.

Description: § 205(d) Rate Filing: 2018 Formula Rate Update Filing to be effective 1/1/2018.

Filed Date: 3/1/19.

Accession Number: 20190301-5290.

Comments Due: 5 p.m. ET 3/22/19.

Docket Numbers: ER19-1173-000.

Applicants: PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: Clean-up to Schedule 12-Appx A Appendix (JCPL), (PSEG), and (Dominion) to be effective 1/31/2019.

Filed Date: 3/1/19.

Accession Number: 20190301-5291.

Comments Due: 5 p.m. ET 3/22/19.

Take notice that the Commission received the following electric reliability filings:

Docket Numbers: RR19-4-000.

Applicants: North American Electric Reliability Corporation, Florida Reliability Coordinating Council, Inc., SERC Reliability Corporation.

Description: Joint Petition of NERC, Florida Reliability Coordinating Council, Inc. and SERC Reliability Corporation for Approvals in Connection with the Dissolution of the Florida Reliability Coordinating Council, Inc.

Filed Date: 2/27/19.

Accession Number: 20190227-5193.

Comments Due: 5 p.m. ET 3/20/19.

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: March 1, 2019.

Kimberly D. Bose,
Secretary.

[FR Doc. 2019-04146 Filed 3-6-19; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL19-50-000]

Louisiana Public Service Commission v. Entergy Corporation, Entergy Services, LLC, Entergy Louisiana, LLC, Entergy Arkansas, LLC, Entergy Mississippi, LLC, Entergy New Orleans, LLC, Entergy Texas, Inc.; Notice of Complaint

Take notice that on February 27, 2019, pursuant to Rules 206 and 207 of the Federal Energy Regulatory Commission's (Commission) Rules and Practice and Procedure, 18 CFR 386.206 and sections 205, 206, 306 and 309 of the Federal Power Act, 16 U.S.C. 824d, 824e, 825c, and 825h, Louisiana Public Service Commission (Complainant) filed a formal complaint against Entergy Corporation, Entergy Services, LLC, Entergy Louisiana, LLC, Entergy Arkansas, LLC, Entergy Mississippi, LLC, Entergy New Orleans, LLC, and Entergy Texas, Inc. Interconnection, L.L.C. (collectively, Entergy or Respondents) alleging that joint account sales of electric energy by Entergy to third party power marketers and others that are not members of the Entergy System Agreement from the Grand Gulf Retained Share owned by Entergy Arkansas violated the provisions of the System Agreement that determine the reimbursement for energy generated to supply joint account sales and the margins on those sales of energy generated by System resources, all as more fully explained in the complaint.

The Louisiana Public Service Commission certifies that copies of the complaint were served on the contacts for Entergy Corporation, Entergy Services, LLC, Entergy Louisiana, LLC, Entergy Arkansas, LLC, Entergy Mississippi, LLC, Entergy New Orleans, LLC, and Entergy Texas, Inc., as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214).

Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the eFiling link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the eLibrary link and is available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 p.m. Eastern Time on March 19, 2019.

Dated: March 1, 2019.

Kimberly D. Bose,
Secretary.

[FR Doc. 2019-04149 Filed 3-6-19; 8:45 am]

BILLING CODE 6717-01-P

FARM CREDIT ADMINISTRATION

Sunshine Act Meeting; Farm Credit Administration Board

AGENCY: Farm Credit Administration.

ACTION: Notice, regular meeting.

SUMMARY: Notice is hereby given, pursuant to the Government in the Sunshine Act, of the regular meeting of the Farm Credit Administration Board (Board).

DATES: The regular meeting of the Board will be held at the offices of the Farm Credit Administration in McLean, Virginia, on March 14, 2019, from 9:00 a.m. until such time as the Board concludes its business.

ADDRESSES: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090. Submit

attendance requests via email to VisitorRequest@FCA.gov. See **SUPPLEMENTARY INFORMATION** for further information about attendance requests. **FOR FURTHER INFORMATION CONTACT:** Dale Aultman, Secretary to the Farm Credit Administration Board, (703) 883-4009, TTY (703) 883-4056.

SUPPLEMENTARY INFORMATION: This meeting of the Board will be open to the public (limited space available). Please send an email to VisitorRequest@FCA.gov at least 24 hours before the meeting. In your email include: Name, postal address, entity you are representing (if applicable), and telephone number. You will receive an email confirmation from us. Please be prepared to show a photo identification when you arrive. If you need assistance for accessibility reasons, or if you have any questions, contact Dale Aultman, Secretary to the Farm Credit Administration Board, at (703) 883-4009. The matters to be considered at the meeting are:

Open Session

A. Approval of Minutes

- February 14, 2019

B. Report

- Annual FCS Funding Update

C. New Business

- Interest Rate Risk Management Guidance for Farmer Mac

Dated: March 4, 2019.

Dale Aultman,

Secretary, Farm Credit Administration Board.

[FR Doc. 2019-04273 Filed 3-5-19; 4:15 pm]

BILLING CODE 6705-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Submission for OMB Review; Comment Request (OMB No. 3064-0171)

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 collection described below (Control Number 3064-0171). On November 2, 2018, the FDIC requested comment for 60 days on a proposal to renew this information collection. No comments were received. On February

5, 2019, the FDIC requested comment for 30 days on a proposal to renew this information collection. Since that time, the FDIC has received updated information on the number of respondents and as a result, has decided to publish an additional 30-day notice that contains the updated information. The FDIC hereby gives notice of its plan to submit to OMB a request to approve the renewal of this collection, and again invites comment on its renewal.

DATES: Comments must be submitted on or before April 8, 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: On November 2, 2018, the FDIC requested comment for 60 days on a proposal to renew the information collection described below.¹ No comments were

received. On February 5, 2019, the FDIC requested comment for 30 days on a proposal to renew the information collection described below.² Since that time, the FDIC has received updated information on the number of respondents and as a result, has decided to publish an additional 30-day notice that contains the updated information. The FDIC hereby gives notice of its plan to submit to OMB a request to approve the renewal of this collection, and again invites comment on the renewal.

Proposal to renew the following currently approved collection of information:

1. *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

Information collection (IC) description	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.	Recordkeeping ...	Mandatory	3,434	1	20.00	On occasion	68,680.00
Financial Institution Procedures to Track and Monitor Compliance with S.A.F.E. Act Compliance.	Recordkeeping ...	Mandatory	3,434	1	60.00	On occasion	206,040.00
Financial Institution Procedures for the Collection and Maintenance of Employee Mortgage Loan Originator's Criminal History Background Reports.	Recordkeeping ...	Mandatory	3,434	1	20.00	On occasion	68,680.00
Financial Institution Procedures for Public Disclosure of Mortgage Loan Originator's Unique Identifier.	Third Party Disclosure.	Mandatory	3,434	1	25.00	On occasion	85,850.00
Financial Institution Information Reporting to Registry.	Reporting	Mandatory	3,434	1	0.25	On occasion	858.50
Mortgage Loan Originator Initial Registration Reporting and Authorization Requirements.	Reporting	Mandatory	14,058	1	0.25	On occasion	3,514.50
Mortgage Loan Originator Annual Renewal Registration Reporting and Authorization Requirements.	Reporting	Mandatory	76,157	1	0.25	On occasion	19,039.25
Mortgage Loan Originator Registration Updates Upon Change in Circumstances.	Reporting	Mandatory	76,157	1	0.25	On occasion	19,039.25
Financial Institution Procedures for the Collection of Employee Mortgage Loan Originator's Fingerprints.	Recordkeeping ...	Mandatory	3,434	1	4.00	On occasion	13,736.00
Mortgage Loan Originator Procedures for Disclosure to Consumers of Unique Identifier.	Third Party Disclosure.	Mandatory	90,215	1	1.00	On occasion	90,215.00
Total Hourly Burden .....	.....	.....	.....	.....	.....	.....	575,652.50

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

¹ 83 FR 55167 (November 2, 2018).

² 84 FR 1120 (February 1, 2019).

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.

Dated at Washington, DC, on March 4, 2019.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2019-04139 Filed 3-6-19; 8:45 am]

BILLING CODE 6714-01-P

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0073; Docket No. 2019-0003; Sequence No. 15]

Information Collection; Advance Payments

AGENCY: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for an extension of an information collection requirement for an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act, the Regulatory Secretariat Division will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a previously approved information collection requirement regarding advanced payments.

DATES: *Submit comments on or before:* May 6, 2019.

ADDRESSES: The FAR Council invites interested persons to submit comments on this collection by any of the following methods:

- *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field or attach a file for lengthier comments. Go to <http://www.regulations.gov> and follow the instructions on the site.
- *Mail:* General Services Administration, Regulatory Secretariat

Division (MVCB), 1800 F Street NW, Washington, DC 20405. ATTN: Ms. Mandell/IC 9000-0073, Advance Payments.

Instructions: Please submit comments only and cite Information Collection 9000-0073, Advance Payments, in all correspondence related to this collection. Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check www.regulations.gov, approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

FOR FURTHER INFORMATION CONTACT: Mr. Kevin Funk, Procurement Analyst, at telephone 202-357-5805, or via email at kevin.funk@gsa.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

Advance payments may be authorized under Federal contracts and subcontracts. Advance payments are the least preferred method of contract financing and require special determinations by the agency head or designee. Specific financial information about the contractor is required before such payments can be authorized (see FAR 32.4 and 52.232-12). The information is used to determine if advance payments should be provided to the contractor.

B. Annual Reporting Burden

Respondents: 73.

Responses per Respondent: 12.

Annual Responses: 876.

Hours per Response: 1.42.

Total Burden Hours: 1,244.

C. Public Comments

Public comments are particularly invited on: Whether this collection of information is necessary and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; and ways to enhance the quality, utility, and clarity of the information to be collected.

Obtaining Copies of Proposals: Requesters may obtain a copy of the information collection documents from the General Services Administration, Regulatory Secretariat Division (MVCB), 1800 F Street NW, Washington, DC 20405, at 202-501-4755. Please cite

OMB Control No. 9000-0073, Advance Payments, in all correspondence.

Janet Fry,

Director, Federal Acquisition Policy Division, Office of Governmentwide Acquisition Policy, Office of Acquisition Policy, Office of Governmentwide Policy.

[FR Doc. 2019-04100 Filed 3-6-19; 8:45 am]

BILLING CODE 6820-EP-P

GENERAL SERVICES ADMINISTRATION

[Notice-WSCC-2019-02; Docket 2019-0004; Sequence No. 2]

Women's Suffrage Centennial Commission; Notification of Public Meetings

AGENCY: Women's Suffrage Centennial Commission, General Services Administration.

ACTION: Meetings notice.

SUMMARY: Notice of two meetings is being provided according to the requirements of the Federal Advisory Committee Act. This notice provides the schedule and agenda for the March 27, 2019, and June 3, 2019, meetings of the Women's Suffrage Centennial Commission (Commission). The meetings are open to the public.

DATES: *Meeting dates:* The first meeting will be held on Wednesday, March 27, 2019, beginning at 1:00 p.m., and ending no later than 3:00 p.m. (Eastern Daylight Time). The second meeting will be held on Monday, June 3, 2019, beginning at 9:00 a.m., and ending no later than 4:00 p.m. (Eastern Daylight Time).

ADDRESSES: The meeting on March 27, 2019, will be a telephonic meeting. The public may dial into the meeting by calling 866-660-8781 participant code: 9420503. The meeting on June 3, 2019, will be held at the Department of the Interior, 1849 C Street NW, Washington, DC 20240, in the South Penthouse on the 7th Floor.

FOR FURTHER INFORMATION CONTACT: Kim Oliver, Designated Federal Officer, Women's Suffrage Centennial Commission, 1849 C Street NW, Room 7313, Washington, DC 20240; phone: 202-912-7510; fax: 202-219-2100; email: kmoliver@blm.gov.

SUPPLEMENTARY INFORMATION:

Background

Congress passed legislation to create the Women's Suffrage Centennial Commission Act, a bill, "to ensure a suitable observance of the centennial of the passage and ratification of the 19th

Amendment of the Constitution of the United States providing for women's suffrage."

The duties of the Commission, as written in the law, include: (1) To encourage, plan, develop, and execute programs, projects, and activities to commemorate the centennial of the passage and ratification of the 19th Amendment; (2) To encourage private organizations and State and local Governments to organize and participate in activities commemorating the centennial of the passage and ratification of the 19th Amendment; (3) To facilitate and coordinate activities throughout the United States relating to the centennial of the passage and ratification of the 19th Amendment; (4) To serve as a clearinghouse for the collection and dissemination of information about events and plans for the centennial of the passage and ratification of the 19th Amendment; and (5) To develop recommendations for Congress and the President for commemorating the centennial of the passage and ratification of the 19th Amendment.

Meeting Agenda for March 27, 2019

- Welcome and Introductions
- Executive Director update
- Subcommittee updates
- Public Comment Period
- Adjourn

Meeting Agenda for June 3, 2019

- Welcome and Introductions
- Commission business and administrative items
- Executive Director update
- Presentations from informative speakers
- Subcommittee updates
- Public Comment Period
- 2019 Meeting Schedule
- Adjourn

The meetings are open to the public, but preregistration is required. Any individual who wishes to attend the meeting should register via email at kmoliver@blm.gov or telephone 202-912-7510. Space is limited and requests to attend will be accommodated in the order they are received.

Interested persons may choose to make a public comment at the meeting during the designated time for this purpose. Public comments shall be limited by minutes based on the number of participants signed up to comment for the allotted time, and subject to agenda time changes based on the speed of the commission's work through the agenda. Speakers who wish to expand upon their oral statements, or those who had wished to speak but could not be accommodated on the agenda, may

submit written statements up to 30 days after the meeting.

Members of the public may also choose to submit written comments by mailing them to Kim Oliver, Designated Federal Officer, 1849 C Street NW, Room 7313, Washington, DC 20240, or via email at kmoliver@blm.gov. Please contact Ms. Oliver at the email address above to obtain meeting materials. All written comments received will be provided to the Commission. Detailed minutes of the meeting will be available for public inspection within 90 days of the meeting.

Individuals requiring special accommodations to access the public meeting should contact Ms. Oliver at least five business days prior to each meeting, so that appropriate arrangements can be made.

Public Disclosure of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Jeffrey A. Koses,

Senior Procurement Executive, Office of Acquisition Policy, Office of Governmentwide Policy, General Services Administration.

[FR Doc. 2019-04143 Filed 3-6-19; 8:45 am]

BILLING CODE 3420-37-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket Nos. FDA-2017-M-6870, FDA-2018-M-3584, and FDA-2018-M-3870]

Medical Devices Regulated by the Center for Biologics Evaluation and Research; Availability of Safety and Effectiveness Summaries for Premarket Approval Applications

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA or Agency) is publishing a list of premarket approval applications (PMAs) that have been approved by the Center for Biologics Evaluation and Research (CBER). This list is intended to inform the public of the availability of safety and

effectiveness summaries of approved PMAs through the internet and FDA's Dockets Management Staff.

ADDRESSES: You may submit either electronic or written comments 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. Since 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 Nos. FDA-2017-M-6870, FDA-2018-M-3584, and FDA-2018-M-3870 for "Medical Devices Regulated by the Center for Biologics Evaluation and Research; Availability of Safety and Effectiveness Summaries for Premarket Approval Applications." 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.

FOR FURTHER INFORMATION CONTACT: Gretchen Opper, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

In accordance with section 515(d)(4) and (e)(2) of the Federal Food, Drug, and Cosmetic Act (the FD&C Act) (21 U.S.C. 360e(d)(4) and (e)(2)), notification of an order approving, denying, or withdrawing approval of a PMA will

continue to include a notice of opportunity to request review of the order under section 515(g) of the FD&C Act. The 30-day period for requesting administrative reconsideration of an FDA action under § 10.33(b) (21 CFR 10.33(b)) for notices announcing approval of a PMA begins on the day the notice is placed on the internet. Section 10.33(b) provides that FDA may, for good cause, extend this 30-day period. Reconsideration of a denial or withdrawal of approval of a PMA may be sought only by the applicant; in these cases, the 30-day period will begin when the applicant is notified by FDA in writing of its decision.

The regulations (21 CFR 814.44(d) and 814.45(d)) provide that FDA publish a quarterly list of available safety and effectiveness summaries of PMA approvals and denials that were announced during that quarter. The following is a list of PMAs approved by CBER for which safety and effectiveness summaries were placed on the internet from October 1, 2017, through December 31, 2018. There were no denial actions during this period. The list provides the manufacturer’s name, the product’s generic name or the trade name, and the approval date.

TABLE 1—LIST OF SAFETY AND EFFECTIVENESS SUMMARIES FOR APPROVED PMAS MADE AVAILABLE FROM OCTOBER 1, 2017, THROUGH DECEMBER 31, 2018

PMA No./Docket No.	Applicant	Trade name	Approval date
BP160122, FDA–2017–M–6870.	Ortho-Clinical Diagnostics, Inc	VITROS Immunodiagnostic Products HIV Combo Reagent Pack & VITROS Immunodiagnostic Products HIV Combo Calibrator.	December 13, 2017.
BP170122, FDA–2018–M–3584.	Avita Medical Americas, LLC	RECELL Autologous Cell Harvesting Device.	September 20, 2018.
BP170154, FDA–2018–M–3870.	Progenika Biopharma, S.A	ID CORE XT (Reagents and Analysis Software).	October 11, 2018.

II. Electronic Access

Persons with access to the internet may obtain the documents at <https://www.fda.gov/BiologicsBloodVaccines/BloodBloodProducts/ApprovedProducts/PremarketApprovalsPMAs/default.htm>.

Dated: March 4, 2019.

Lowell J. Schiller,

Acting Associate Commissioner for Policy.

[FR Doc. 2019–04114 Filed 3–6–19; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection: Public Comment Request Information Collection Request Title: The Stem Cell Therapeutic Outcomes Database OMB No. 0915–0310—Revision

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In compliance with the requirement for an opportunity for public comment on proposed data collection projects of the Paperwork

Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Before submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR should be received no later than May 6, 2019.

ADDRESSES: Submit your comments to paperwork@hrsa.gov or mail the HRSA Information Collection Clearance Officer, Room 14N39, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft

instruments, email paperwork@hrsa.gov or call Lisa Wright-Solomon, the HRSA Information Collection Clearance Officer at (301) 443-1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the information request collection title for reference.

Information Collection Request Title: The Stem Cell Therapeutic Outcomes Database OMB No. 0915-0310, Revision.

Abstract: The Stem Cell Therapeutic and Research Act of 2005, Public Law (Pub. L.) 109-129, as amended by the Stem Cell Therapeutic and Research Reauthorization Act of 2015, Public Law 114-104 (the Act), provides for the collection and maintenance of human blood stem cells for the treatment of patients and research. The Act requires the Secretary to contract for the establishment and maintenance of information related to patients who have received stem cell therapeutic products and to do so using a standardized, electronic format. HRSA’s Healthcare Systems Bureau has

established the Stem Cell Therapeutic Outcomes Database, which necessitates certain electronic record keeping and reporting requirements to perform the functions related to hematopoietic stem cell transplantation under contract to HHS. Data is collected from transplant centers by the Center for International Blood and Marrow Transplant Research and is used for ongoing analysis of transplant outcomes. Over time, there is an expected increase in the number of recipients for whom data are reported as the increasing number of transplants are performed annually and survivorship after transplantation improves.

Need and Proposed Use of the Information: Per statutory responsibilities, information collected on the forms outlined in the “Total Estimated Annualized Burden Hours” section below is needed to monitor the clinical status of transplantation and provide the Secretary with an annual report of transplant center-specific survival data. The proposed revisions of these data collection forms fall into several categories: Consolidating questions and removing duplicate

questions across the forms, implementing “check all that apply” formatting to reduce data entry time, and removing items no longer clinically significant (e.g., drugs). These proposed revisions are not anticipated to affect total burden hours.

Likely Respondents: Transplant Centers.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents ¹	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Baseline Pre-Transplant Essential Data (TED)	200	44	8,800	1.00	8,800
Disease Classification	200	44	8,800	0.15	1,320
Product Form (includes Infusion, HLA, and Infectious Disease Marker inserts)	200	33	6,600	1.00	6,600
100-Day Post-TED	200	44	8,800	1.25	11,000
6-Month Post-TED	200	36	7,200	1.15	8,280
12-Month Post-TED	200	32	6,400	1.15	7,360
Annual Post-TED	200	110	22,000	1.15	25,300
Total	200	.....	68,600	.....	68,660

¹ The total of 200 is the number of centers completing the form; the same group will complete all of the forms.

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency’s functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Amy P. McNulty,

Acting Director, Division of the Executive Secretariat.

[FR Doc. 2019-04117 Filed 3-6-19; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Meeting of the National Advisory Council on Nurse Education and Practice

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: In accordance with the Federal Advisory Committee Act, this notice announces that the National Advisory Council on Nurse Education and Practice (NACNEP) has scheduled public meetings for the 2019 calendar

year (CY). Information about NACNEP, agendas, and materials for these meetings can be found on the NACNEP website at <https://www.hrsa.gov/advisory-committees/nursing/index.html>.

DATES: All CY 2019 NACNEP meetings will be held by teleconference and webinar:

- April 1, 2019, 8:30 a.m.–2:30 p.m. Eastern Time (ET)
- May 21, 2019, 8:30 a.m.–5:00 p.m. ET; and
- September 24, 2019, 8:30 a.m.–5:00 p.m. ET.

ADDRESSES: Meetings will be held by teleconference and/or Adobe Connect webinar. Instructions for joining the meetings remotely will be posted on the

NACNEP website 30 business days before the date of the meeting. For meeting information updates, go to the NACNEP website meeting page at <https://www.hrsa.gov/advisory-committees/nursing/meetings.html>.

FOR FURTHER INFORMATION CONTACT:

Tracy L. Gray MBA, MS, RN, Chief, Advanced Nursing Education Branch; Designated Federal Official; Bureau of Health Workforce, HRSA, 5600 Fishers Lane, Rockville, Maryland 20857; 301-945-3113 or BHWNACNEP@hrsa.gov.

SUPPLEMENTARY INFORMATION: NACNEP provides advice and recommendations to the Secretary of HHS and Congress on policy issues related to the activities carried out under Title VIII of the Public Health Service (PHS) Act, including the range of issues relating to the nurse workforce, education, and practice improvement. NACNEP also prepares and submits an annual report to the Secretary of HHS and Congress describing its activities, including NACNEP's findings and recommendations concerning activities under Title VIII, as required by the PHS Act.

For CY 2019 meetings, agenda items may include, but are not limited to, updates from experts on nursing workforce, nursing education, and nursing practice improvement. Agenda items are subject to change as priorities dictate. Refer to the NACNEP website listed above for all current and updated information concerning the CY 2019 NACNEP meetings, including topics, draft agendas, and meeting materials that will be posted at least 10 business days before the meeting. Members of the public will have the opportunity to provide comments. Public participants may submit written statements in advance of the scheduled meeting(s). Oral comments will be honored in the order they are requested and may be limited as time allows. Requests to submit a written statement or make oral comments to NACNEP should be sent to the contact information above at least five business days before the meeting date(s). Individuals who need special assistance or another reasonable accommodation should notify Tracy Gray at the address and phone number listed above at least 10 business days before the meeting(s) they wish to remotely attend. Since all in-person meetings will occur in a federal government building, attendees must go through a security check to enter the building. Non-U.S. Citizen attendees

must notify HRSA of their planned attendance at least 20 business days prior to the meeting in order to facilitate their entry into the building. All attendees are required to present government-issued identification prior to entry.

Amy P. McNulty,

Acting Director, Division of the Executive Secretariat.

[FR Doc. 2019-04074 Filed 3-6-19; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Agency Information Collection Activities: Proposed Collection; Public Comment Request; Information Collection Request Title; Black Lung Clinics Program Performance Measures; OMB No. 0915-0292, Extension

AGENCY: Health Resources and Services Administration (HRSA), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In compliance with the requirement for opportunity for public comment on proposed data collection projects of the Paperwork Reduction Act of 1995, HRSA announces plans to submit an Information Collection Request (ICR), described below, to the Office of Management and Budget (OMB). Prior to submitting the ICR to OMB, HRSA seeks comments from the public regarding the burden estimate, below, or any other aspect of the ICR.

DATES: Comments on this ICR must be received no later than May 6, 2019.

ADDRESSES: Submit your comments to paperwork@hrsa.gov or mail the HRSA Information Collection Clearance Officer, Room 14N136B, 5600 Fishers Lane, Rockville, Maryland 20857.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and draft instruments, email paperwork@hrsa.gov or call Lisa Wright-Solomon, the HRSA Information Collection Clearance Officer at (301) 443-1984.

SUPPLEMENTARY INFORMATION: When submitting comments or requesting information, please include the

information request collection title for reference.

Information Collection Request Title: Black Lung Clinics Program Performance Measures, OMB No. 0915-0292—Extension.

Abstract: HRSA's Federal Office of Rural Health Policy conducts an annual data collection of user information for the Black Lung Clinics Program, which has been ongoing with OMB approval since 2004. The purpose of the Black Lung Clinics Program is to reduce the morbidity and mortality associated with occupationally-related coal mine dust lung disease through the screening, diagnosis, and treatment of active, inactive, retired, and/or disabled coal miners. Collecting this data provides HRSA with information on how well each grantee is meeting the needs of these miners in their communities.

Need and Proposed Use of the Information: Data from the annual report provides quantitative information about the clinics, specifically: (a) The characteristics of the patients they serve (gender, age, disability level, and occupation type); (b) the characteristics of services provided (medical encounters, non-medical encounters, benefits counseling, and outreach); and (c) the number of patients served. This assessment enables HRSA to provide data required by Congress under the Government Performance and Results Act of 1993. It also ensures that funds are effectively used to provide services that meet the target population needs. HRSA does not plan to make any changes to the performance measures at this time.

Likely Respondents: Black Lung Clinics Program Grantees.

Burden Statement: Burden in this context means the time expended by persons to generate, maintain, retain, disclose, or provide the information requested. This includes the time needed to review instructions; to develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information; to search data sources; to complete and review the collection of information; and to transmit or otherwise disclose the information. The total annual burden hours estimated for this ICR are summarized in the table below.

TOTAL ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Black Lung Clinics Program Measures	15	1	15	10	150
Total	15	.....	15	.....	150

HRSA specifically requests comments on (1) the necessity and utility of the proposed information collection for the proper performance of the agency's functions, (2) the accuracy of the estimated burden, (3) ways to enhance the quality, utility, and clarity of the information to be collected, and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Amy P. McNulty,

Acting Director, Division of the Executive Secretariat.

[FR Doc. 2019-04123 Filed 3-6-19; 8:45 am]

BILLING CODE 4165-15-P

DEPARTMENT OF THE INTERIOR

[DT23200000.DST000000.T7AC.241A; OMB Control Number 1035-0004]

Agency Information Collection Activities; Trust Funds for Tribes and Individual Indians

AGENCY: Office of the Secretary, Office of the Special Trustee for American Indians, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the Office of the Special Trustee for American Indians (OST) are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before May 6, 2019.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to the Jeremy Rogers, 4400 Masthead NE, Albuquerque, NM 87109; or by email to Jeremy_Rogers@ost.doi.gov. Please reference OMB Control Number 1035-0004 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Jeremy Rogers by email at Jeremy_Rogers@ost.doi.gov, or by telephone at (505) 350-1054.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork

Reduction Act of 1995, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the OST; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the OST enhance the quality, utility, and clarity of the information to be collected; and (5) how might the OST minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: As codified in 25 U.S.C. 4001, The American Indian Trust Fund Management Reform Act of 1994 (the Reform Act) makes provisions for the Office of the Special Trustee for American Indians to administer trust fund accounts for individuals and tribes. The collection of information is required to facilitate the processing of deposits, investments, and distribution of monies held in trust by the U.S. Government and administered by the Office of the Special Trustee for

American Indians. The collection of information provides the information needed to establish procedures to: Deposit and retrieve funds from accounts, perform transactions such as cashing checks, reporting lost or stolen checks, stopping payment of checks, and general verification for account activities.

Title of Collection: Trust Funds for Tribes and Individual Indians.

OMB Control Number: 1035-0004.

Form Number: None.

Type of Review: Extension of a currently approved collection.

Respondents/Affected Public: Individual Indians who wish to initiate some activity on their accounts.

Total Estimated Number of Annual Respondents: 44,874.

Total Estimated Number of Annual Responses: 44,874.

Estimated Completion Time per Response: 15 minutes.

Total Estimated Number of Annual Burden Hours: 11,219 Hours.

Respondent's Obligation: Required to Obtain or Retain a Benefit.

Frequency of Collection: One time.

Total Estimated Annual Nonhour Burden Cost: None.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Jeffrey M. Parrillo,

Departmental Information Collection Clearance Officer.

[FR Doc. 2019-04109 Filed 3-6-19; 8:45 am]

BILLING CODE 4334-63-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[19X.LLAK940000.L1410000.BX0000.LXSS001L0100]

Filing of Plats of Survey: Alaska

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of official filing.

SUMMARY: The plats of survey of lands described in this notice are scheduled to be officially filed in the Bureau of Land Management (BLM), Alaska State Office, Anchorage, Alaska. These surveys were executed at the request of the National Park Service (NPS) and the BLM, and are necessary for the management of these lands.

DATES: The BLM must receive protests by April 8, 2019.

ADDRESSES: You may buy a copy of the plats from the BLM Alaska Public Information Center, 222 W 7th Avenue, Mailstop 13, Anchorage, AK 99513. Please use this address when filing written protests. You may also view the plats at the BLM Alaska Public Information Center, Fitzgerald Federal Building, 222 W 8th Avenue, Anchorage, Alaska, at no cost.

FOR FURTHER INFORMATION CONTACT:

Douglas N. Haywood, Chief, Branch of Cadastral Survey, Alaska State Office, Bureau of Land Management, 222 W 7th Avenue, Anchorage, AK 99513; 907-271-5481; dhaywood@blm.gov. People who use a telecommunications device for the deaf may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact the BLM 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 lands surveyed are:

U.S. Survey No. 2539, accepted January 31, 2019, situated within:

Seward Meridian, Alaska

T. 28 S, R. 20 W, unsurveyed.
T. 28 S, R. 21 W
T. 29 S, R. 20 W
T. 29 S, R. 21 W

U.S. Survey No. 4899, accepted February 12, 2019, situated within:

Seward Meridian, Alaska

T. 9 S, R. 15 W
T. 10 S, R. 15 W

U.S. Survey No. 14497, accepted February 15, 2019, situated within:

Copper River Meridian, Alaska

T. 5 N, R. 21 E, unsurveyed.

Copper River Meridian, Alaska

T. 2 N, R. 1 E, accepted November 28, 2018

Seward Meridian, Alaska

T. 3 S, R. 23 W, accepted February 12, 2019
T. 4 S, R. 22 W, accepted February 12, 2019
T. 4 S, R. 23 W, accepted February 12, 2019
T. 4 S, R. 24 W, accepted February 12, 2019
T. 5 S, R. 22 W, accepted February 12, 2019
T. 5 S, R. 24 W, accepted February 13, 2019
T. 5 S, R. 25 W, accepted February 12, 2019
T. 5 S, R. 26 W, accepted February 12, 2019
T. 6 S, R. 22 W, accepted February 12, 2019

T. 6 S, R. 23 W, accepted February 12, 2019
T. 6 S, R. 24 W, accepted February 12, 2019
T. 6 S, R. 25 W, accepted February 12, 2019
T. 6 S, R. 26 W, accepted February 12, 2019
T. 7 S, R. 25 W, accepted February 12, 2019
T. 7 S, R. 26 W, accepted February 13, 2019
T. 19 N, R. 40 W, accepted January 19, 2019

Kateel River Meridian, Alaska

T. 13 N, R. 25 E, accepted February 22, 2019
T. 13 N, R. 26 E, accepted February 22, 2019
T. 14 N, R. 25 E, accepted February 22, 2019
T. 14 N, R. 26 E, accepted February 22, 2019
T. 14 N, R. 27 E, accepted February 22, 2019
T. 15 N, R. 25 E, accepted February 22, 2019
T. 15 N, R. 26 E, accepted February 22, 2019
T. 15 N, R. 27 E, accepted February 22, 2019
T. 16 N, R. 25 E, accepted February 22, 2019
T. 16 N, R. 26 E, accepted February 22, 2019
T. 16 N, R. 27 E, accepted February 22, 2019
T. 17 N, R. 26 E, accepted February 22, 2019
T. 17 N, R. 27 E, accepted February 22, 2019

Umiat Meridian, Alaska

T. 9 N, R. 33 E, accepted November 28, 2018

A person or party who wishes to protest one or more plats of survey identified above must file a written notice of protest with the State Director for the BLM in Alaska. The notice of protest must identify the plat(s) of survey that the person or party wishes to protest. You must file the notice of protest before the scheduled date of official filing for the plat(s) of survey being protested. The BLM will not consider any notice of protest filed after the scheduled date of official filing. A notice of protest is considered filed on the date it is received by the State Director for the BLM in Alaska during regular business hours; if received after regular business hours, a notice of protest will be considered filed the next business day. A written statement of reasons in support of a protest, if not filed with the notice of protest, must be filed with the State Director for the BLM in Alaska within 30 calendar days after the notice of protest is filed.

If a notice of protest against a plat of survey is received prior to the scheduled date of official filing, the official filing of the plat of survey identified in the notice of protest will be stayed pending consideration of the protest. A plat of survey will not be officially filed until the dismissal or resolution of all protests of the plat.

Before including your address, phone number, email address, or other personally identifiable information in a notice of protest or statement of reasons, you should be aware that the documents you submit, including your personally identifiable information, may be made publicly available in their entirety at any time. While you can ask the BLM to withhold your personally identifiable information from public review, we

cannot guarantee that we will be able to do so.

Authority: 43 U.S.C. Chap. 3.

Douglas N. Haywood,
Chief Cadastral Surveyor, Alaska.

[FR Doc. 2019-04131 Filed 3-6-19; 8:45 am]

BILLING CODE 4310-JA-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

**[LLNVS01000 L5105.0000.EA0000
LVRFC1806440 241A 18X MO#4500131513]**

Notice of Temporary Closure of Public Land in Clark County, Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of closure.

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 the Jean/Roach Dry Lakes Special Recreation Management Area is used by OHV recreationists. 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 2019 Mint 400 OHV Race.

DATES: The temporary closure for the 2019 Mint 400 will go into effect at 12:01 a.m. on March 9, 2019 and will remain in effect until 11:59 p.m. on March 10, 2019.

ADDRESSES: The temporary closure order and map of the closure area will be posted at the Bureau of Land Management (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 points to the Jean/Roach Dry Lakes Special Recreation Management Area.

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 2019 Mint 400.

The public lands affected by this temporary closure are described as follows:

Mount Diablo Meridian, Nevada

- T. 25 S, R. 59 E,
 Sec. 23, those portions of the S $\frac{1}{2}$ lying southeasterly of the southeasterly right-of-way boundary of State Route 604, except CC-0360;
 Sec. 24, except CC-0360;
 Sec. 25;
 Sec. 26, E $\frac{1}{2}$, except CC-0360;
 Sec. 35, lots 5 and 10, except CC-0360 and E $\frac{1}{2}$;
 Sec. 36.
- T. 26 S, R. 59 E,
 Sec. 1;
 Sec. 2, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Secs. 11 thru 14;
 Sec. 22, lot 1, except CC-0360, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, except CC-0360, and SE $\frac{1}{4}$;
 Secs. 23 thru 26;
 Sec. 27, lots 4, 5, and 8, except CC-0360, E $\frac{1}{2}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 34, lot 1, except CC-0360, E $\frac{1}{2}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Secs. 35 and 36.
- T. 27 S, R. 59 E,
 Secs. 1 and 2;
 Secs. 3 and 4, except CC-0360;
 Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$, except CC-0360 and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Secs. 11 thru 17 and secs. 21 thru 24.
- T. 24 S, R. 60 E,
 Sec. 13;
 Sec. 14, E $\frac{1}{2}$, those portions of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying southeasterly of the southeasterly right-of-way boundary of State Route 604, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 15, those portions of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ lying southeasterly of the southeasterly right-of-way boundary of State Route 604;
 Sec. 16, those portions of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying southeasterly of the southeasterly right-of-way boundary of State Route 604;
 Sec. 20, those portions of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying southeasterly of the southeasterly right-of-way boundary of State Route 604;
 Sec. 21, those portions of the E $\frac{1}{2}$, NW $\frac{1}{4}$, and SW $\frac{1}{4}$ lying southeasterly of the southeasterly right-of-way boundary of State Route 604;
 Secs. 22 thru 28;
 Sec. 29, those portions of the E $\frac{1}{2}$ and SW $\frac{1}{4}$ lying southeasterly of the southeasterly right-of-way boundary of State Route 604;
 Sec. 31, those portions of the E $\frac{1}{2}$ lying southeasterly of the southeasterly right-of-way boundary of State Route 604, except CC-0360;
 Sec. 32, those portions lying southeasterly of the southeasterly right-of-way boundary of State Route 604;

Secs. 33 thru 36.

- T. 25 S, R. 60 E, those portions lying southeasterly of the southeasterly right-of-way boundary of State Route 604, except CC-0360.
- T. 26 S, R. 60 E,
 Secs. 1 thru 23 and secs. 27 thru 34.
- T. 27 S, R. 60 E,
 Secs. 3 thru 10 and secs. 15 thru 22.
- T. 24 S, R. 61 E,
 Secs. 16 thru 21 and secs. 28 thru 33.
- T. 25 S, R. 61 E,
 Secs. 4 thru 9, secs. 16 thru 21, and secs. 28 thru 33.
- T. 26 S, R. 61 E,
 Secs. 6 and 7.

The area described contains 103,370 acres, according to the official plats of the surveys of said land and Geographic Information System data, on file with the BLM.

Roads leading into the public lands under the temporary closure will be posted to notify the public of the temporary closure. The temporary closure area includes the Jean Dry Lake Bed and is bordered by Hidden Valley to the north, the McCullough Mountains to the east, the California State line to the south and Nevada State Route 604 to the west. Under the authority of Section 303(a) of the Federal Lands Policy and Management Act of 1976 (43 U.S.C. 1733(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 areas will be permitted. Event participants and spectators are required to remain within designated pit and spectator areas only.

The following restrictions will be in effect for the duration of the temporary 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 or 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 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, barricade, fence, or traffic control barrier or device.

- Failing to maintain control of a vehicle to avoid danger to persons, property, resources, 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.

Shonna Dooman,

Field Manager, Las Vegas Field Office.

[FR Doc. 2019-04135 Filed 3-6-19; 8:45 am]

BILLING CODE 4310-HC-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-WASO-NRNL-DTS#-27403; PPWOCRADIO, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting comments on the significance

of properties nominated before February 23, 2019, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted by March 22, 2019.

ADDRESSES: Comments may be sent via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C St. NW, MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before February 23, 2019. Pursuant to Section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Nominations submitted by State Historic Preservation Officers:

CALIFORNIA

Ventura County

Thacher School Historic District, 5025 Thacher Rd., Ojai, SG100003579

FLORIDA

Brevard County

Cocoa Junior High School, (Florida's Historic Black Public Schools MPS), 307 Blake Ave., Cocoa, MP100003581

Cocoa Post Office, (Florida's New Deal Resources MPS), 435 Brevard Ave., Cocoa, MP100003582

Polk County

Spook Hill, North Wales Dr. between Burns Ave. and Spook Hill Elementary, Lake Wales, SG100003585

Volusia County

Eastwood Terrace Hotel, 442 E New York Ave., Deland, SG100003586

MAINE

Aroostook County

Former Town Office and Jail, 47 Burleigh St., Island Falls, SG100003587

Kennebec County

Mt. Merici Historic District, 152 Western Ave. & 99 St. Angela Way, Waterville, SG100003588

Knox County

Singhi Double House, 198–200 Broadway, Rockland, SG100003589

MONTANA

Lewis and Clark County

Lyman-Neel Residence, (African-American Heritage Places in Helena, Montana MPS), 309 N. Rodney St., Helena, MP100003590

NEW HAMPSHIRE

Carroll County

Pickering House, 116 S Main St., Wolfeboro, SG100003596

Rockingham County

Scamman Farm, 69 Portsmouth Ave., Stratham, SG100003597

NEW JERSEY

Camden County

Lucas, John, House, 10 Clemonton Rd. E., Gibbsboro, SG100003591

Tomlinson, Ephraim and Sarah, House, 710 W Laurel Rd., Stratford, SG100003592

Gloucester County

Morgan, George Jr., and Sarah, House, 208 Egg Harbor Rd., Washington Township, SG100003599

PENNSYLVANIA

Philadelphia County

First Federal Savings and Loan Association of Philadelphia, Northeast Branch, 1907–1925 Cottman Ave., Philadelphia, SG100003595

TEXAS

Collin County

Texas Pool, 901 Springbrook Dr., Plano, SG100003598

Dallas County

Ambassador Hotel, 1300 S Ervay, Dallas, SG100003599

Travis County

Fiesta Gardens, 2101 Jesse E. Segovia St., Austin, SG100003600

VIRGINIA

Amherst County

Madison Heights Elementary School, 123 Phelps Rd., Madison Heights, SG100003601

Bath County

Fort Lewis, 603 Old Plantation Way, Millboro vicinity, SG100003602

Clarke County

Locke's Mill, 1600 Locke's Mill Rd., Berryville vicinity, SG100003603

Culpeper County

Culpeper Municipal Electric Plant and Waterworks, 410–414 Spring St., Culpeper vicinity, SG100003604

James City County

Toano Historic District, 7852–7960 Richmond Rd., Toano, SG100003605

Virginia Beach Independent City

Cavalier Shores Historic District, Generally bounded by 42nd St./Cavalier Dr., Hollies Rd., 45th St. & the Atlantic Ocean, Virginia Beach, SG100003606

Additional documentation has been received for the following resource:

NEW YORK

Nassau County

Mitchel Air Base and Flight Line, Roughly Charles Lindbergh Blvd., Ellington Ave., East & West Rds., Uniondale, AD100002385

Authority: Section 60.13 of 36 CFR part 60.

Dated: February 26, 2019.

Christopher Hetzel,

Acting Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2019–04119 Filed 3–6–19; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NRNHL–DTS#–27355; PPWOCRADIO, PCU00RP14.R50000]

National Register of Historic Places; Notification of Pending Nominations and Related Actions

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The National Park Service is soliciting comments on the significance of properties nominated before February 16, 2019, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted by March 22, 2019.

ADDRESSES: Comments may be sent via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C St. NW, MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before February 16, 2019. Pursuant to Section 60.13 of 36 CFR part 60, written comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time.

While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Nominations submitted by State Historic Preservation Officers:

CALIFORNIA

Los Angeles County

Security Trust and Savings Building, 110 Pine Ave., Long Beach, SG100003553

Orange County

Hunt Center and Library, 1645 W Valencia Dr. & 201 S. Basque Ave., Fullerton, SG100003550

MICHIGAN

Branch County

Tibbits Opera House, 14 S Hanchett St., Coldwater, SG100003577

Wayne County

Hart, Philip A., Plaza, 1 Hart Plaza, Detroit, SG100003554

MISSISSIPPI

Lowndes County

Lee, S.D., High School, 1815 Military Rd., Columbus, SG100003552

NEBRASKA

Boone County

Albion Carnegie Library, (Carnegie Libraries in Nebraska MPS AD), 437 S 3rd St., Albion, MP100003569

Burt County

Oakland City Auditorium, 401 N Oakland Ave., Oakland, SG100003570

Douglas County

Nebraska School for the Deaf, 3223 N 45th St., Omaha, SG100003571

OHIO

Pickaway County

Ohio and Erie Canal Southern Descent Historic District, Multiple, Ashville, SG100003572

WISCONSIN

Brown County

St. Mary of the Angels Church and Monastery, 645 S Irwin Ave., Green Bay, SG100003578

Manitowoc County

Schwartz, Bernard and Fern, House, 3425 Adams St., Two Rivers, SG100003551
Lincoln Boulevard Historic District, Generally bounded by both sides of Lincoln Blvd. between Cleveland Ave. & Oak St., Manitowoc, SG100003576

Milwaukee County

Milwaukee Athletic Club, 758 N Broadway, Milwaukee, SG100003549

A request for removal has been made for the following resources:

NEBRASKA

Antelope County

Bridge, (Highway Bridges in Nebraska MPS), Twp. Rd. over unnamed stream, 6.8 mi. NE of Royal, Royal vicinity, OT92000725

Boyd County

Ponca Creek Bridge, (Highway Bridges in Nebraska MPS), Co. Rd. over Ponca Cr., 3 mi. E of Lynch, Lynch vicinity, OT92000769

Cherry County

Adamson Bridge, (Highway Bridges in Nebraska MPS), NE 97 over the Niobrara R., 7.8 mi. SW of Valentine, Valentine vicinity, OT92000749

Gage County

Paddock, Algernon S., House, 1401 N 10th St., Beatrice, OT73001062

Garfield County

Burwell Bridge, (Highway Bridges in Nebraska MPS), NE 11 over the N Loup R., Burwell, OT92000715

Johnson County

Keim Stone Arch Bridge, (Highway Bridges in Nebraska MPS), Co. Rd. over unnamed stream, 3 mi. E and 1 mi. N of Tecumseh, Tecumseh vicinity, OT92000710

Knox County

Pospeshil Theatre, (Opera House Buildings in Nebraska 1867–1917 MPS), 123 Broadway, Bloomfield, OT88000935

Lancaster County

Beal Slough Bridge, (Highway Bridges in Nebraska MPS), W Pioneers Blvd. over Beal Slough, .5 mi. W of Lincoln, Lincoln vicinity, OT92000744

Otoe County

McCartney School District 17, (School Buildings in Nebraska MPS), Jct. of Steamwagon Rd. and CTH 59, Nebraska City, OT00001379

Thurston County

North Omaha Creek Bridge, (Highway Bridges in Nebraska MPS), Twp. Rd. over N. Omaha Cr., 3 mi. SW of Winnebago, Winnebago vicinity, OT92000727

Additional documentation has been received for the following resources:

MICHIGAN

Wayne County

Campau, Jos., Historic District, Bounded by Holbrook, Pulaski, Casmere, & Lehman Sts., Hamtramck, AD12000870

NORTH DAKOTA

Stutsman County

Dickey, Alfred, Free Library, 105 3rd St. SE, Jamestown, AD80004545

Authority: Section 60.13 of 36 CFR part 60.

Dated: February 19, 2019.

Christopher Hetzel,

Acting Chief, National Register of Historic Places/National Historic Landmarks Program.

[FR Doc. 2019-04118 Filed 3-6-19; 8:45 am]

BILLING CODE 4312-52-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332–345]

Recent Trends in U.S. Services Trade, 2019 Annual Report

AGENCY: United States International Trade Commission.

ACTION: Schedule for 2019 report and opportunity to submit information.

SUMMARY: The Commission has prepared and published annual reports in this series under investigation No. 332–345, *Recent Trends in U.S. Services Trade*, since 1996. The 2019 report, which the Commission plans to publish in September 2019, will provide aggregate data on cross-border trade in services for the period ending in 2017, and transactions by affiliates based outside the country of their parent firm for the period ending in 2016. The report's analysis will focus on distribution services (including logistics services, maritime transport services, and retail services). The Commission is inviting interested members of the public to furnish information and views in connection with the 2019 report.

DATES: April 1, 2019: Deadline for filing written submissions.

September 20, 2019: Anticipated date for online publication of the report.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E St. SW, Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E St. SW, Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket information system (EDIS) at <https://edis.usitc.gov/>.

FOR FURTHER INFORMATION CONTACT: Information specific to this investigation may be obtained from Sarah Oliver, Project Leader, Office of Industries, Services Division (202–205–3288, sarah.oliver@usitc.gov), Eric Forden, Deputy Project Leader, Office of Industries, Services Division (202–205–3235, eric.forden@usitc.gov), or Services Division Chief Martha Lawless (202–205–3497, martha.lawless@usitc.gov). For information on the legal aspects of

these investigations, contact William Gearhart of the Commission's Office of the General Counsel (202-205-3091; william.gearhart@usitc.gov). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819; margaret.olaughlin@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its website (<https://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

Background: The 2019 annual services trade report will provide aggregate data on cross-border trade in services for 2017 and affiliate transactions in services for 2016, and more specific data and information on trade in distribution services (logistics, maritime trade, and retail services). Under Commission Investigation No. 332-345, the Commission publishes two annual reports, one on services trade (Recent Trends in U.S. Services Trade), and a second on merchandise trade (Shifts in U.S. Merchandise Trade). The Commission's 2018 annual report in the series of reports on Recent Trends in U.S. Services Trade is now available online at <https://www.usitc.gov>.

The initial notice of institution of this investigation was published in the **Federal Register** on September 8, 1993 (58 FR 47287) and provided for what is now the report on merchandise trade. The Commission expanded the scope of the investigation to cover services trade in a separate report, which it announced in a notice published in the **Federal Register** on December 28, 1994 (59 FR 66974). The separate report on services trade has been published annually since 1996, except in 2005. As in past years, the report will summarize trade in services in the aggregate and provide analyses of trends and developments in selected services industries during the latest period for which data are published by the U.S. Department of Commerce, Bureau of Economic Analysis.

Written Submissions: The Commission invites interested parties to submit written statements concerning its 2019 report. For the 2019 report, the Commission is particularly interested in receiving information relating to trade in distribution services (logistics, maritime trade, and retail services). All written submissions should be addressed to the Secretary, and should be received no later than 5:15 p.m., April 1, 2019. All written submissions

must conform with the provisions of section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8). Section 201.8 and the Commission's Handbook on Filing Procedures require that interested parties file documents electronically on or before the filing deadline and submit eight (8) true paper copies by 12:00 noon Eastern time on the next business day. In the event that confidential treatment of a document is requested, interested parties must file, at the same time as the eight paper copies, at least four (4) additional true paper copies in which the confidential information must be deleted (see the paragraph below for further information regarding confidential business information or "CBI"). Persons with questions regarding electronic filing should contact the Office of the Secretary, Docket Services Division (202-205-1802).

Confidential Business Information: Any submissions that contain confidential business information (CBI) must also conform with the requirements in section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are confidential or non-confidential, and that the confidential business information be clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available for inspection by interested parties.

The Commission intends to prepare only a public report in this investigation. The report that the Commission makes available to the public will not contain confidential business information. However, all information, including confidential business information, submitted in 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. The Commission will not otherwise disclose any confidential business information in a manner that would reveal the operations of the firm supplying the information.

Summaries of Written Submissions: The Commission intends to publish summaries of the positions of interested persons in this report. If you wish to have a summary of your position included in an appendix of the report, please include a summary with your written submission and mark the summary as submitted for that purpose. The summary may not exceed 500 words, should be in MSWord format or a format that can be easily converted to MSWord, and should not include any confidential business information. The summary will be published as provided if it meets these requirements and is germane to the subject matter of the investigation. In the report the Commission will identify the name of the organization furnishing the summary, and will include a link to the Commission's Electronic Document Information System (EDIS) where the full written submission can be found.

By order of the Commission.

Issued: March 4, 2019.

Katherine Hiner,

Acting Secretary to the Commission.

[FR Doc. 2019-04157 Filed 3-6-19; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-481 and 731-TA-1190 (Review)]

Crystalline Silicon Photovoltaic Cells and Modules From China

Determinations

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the antidumping and countervailing duty orders on Crystalline Silicon Photovoltaic Cells and Modules from China would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission, pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)), instituted these reviews on November 1, 2017 (82 FR 50681) and determined on February 5, 2018 that it would conduct full reviews (83 FR 8296, February 26, 2018). Notice of the scheduling of the

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

Commission's reviews and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on July 23, 2018 (83 FR 34873)(as revised, effective October 22, 2018 (83 FR 54138, October 26, 2018) and January 31, 2019 (84 FR 2249, February 6, 2019).² The hearing was held in Washington, DC, on November 27, 2018, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission made these determinations pursuant to section 751(c) of the Act (19 U.S.C. 1675(c)). It completed and filed its determinations in these reviews on March 1, 2019. The views of the Commission are contained in USITC Publication 4874 (March 2019), entitled *Crystalline Silicon Photovoltaic Cells and Modules from China: Investigation Nos. 701-TA-481 and 731-TA-1190 (Review)*.

By order of the Commission.

Issued: March 1, 2019.

Katherine Hiner,

Acting Secretary to the Commission.

[FR Doc. 2019-04094 Filed 3-6-19; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request for Information Collection for Migrant and Seasonal Farmworker (MSFW) Monitoring Report and Complaint/Apparent Violation Form (Extension Without Changes)

ACTION: Notice.

SUMMARY: The Department of Labor's (DOL) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Migrant and Seasonal Farmworker (MSFW) Monitoring Report and Complaint/Apparent Violation Form."

This comment request is part of continuing Departmental efforts to reduce paperwork and respondent

burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

DATES: Consideration will be given to all written comments received by May 6, 2019.

ADDRESSES: Comments submitted in response to this notice should be submitted electronically at nma@dol.gov or via postal mail, commercial delivery, or hand delivery. 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 by contacting Juan M. Regalado, Office of Workforce Investment, Room C-4510, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210. Telephone number: 415-625-7904 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-877-889-5627 (TTY/TDD) or by email at regalado.juan@dol.gov.

Submit written comments about or requests for a copy of this ICR by mail or courier to the U.S. Department of Labor, Office of Workforce Investment, Room C-4510, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210; by email at nma@dol.gov; or by Fax 202-693-981.

FOR FURTHER INFORMATION CONTACT: Juan M. Regalado by telephone at 415-625-7904 (this is not a toll-free number) or by email at regalado.juan@dol.gov.

SUPPLEMENTARY INFORMATION: DOL, as part of continuing efforts to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

In accordance with the authority of the Paperwork Reduction Act of 1995 [44 U.S.C. 3506(c)(2)(A)] (PRA), DOL continues its efforts to reduce paperwork and respondent burden. Pursuant to 20 CFR 653.109, State

Workforce Agencies (SWA) use ETA Form 5148, to submit to DOL quarterly data on the services they provide to MSFWs. DOL uses that data to monitor and measure the extent and effectiveness of SWA service delivery to MSFWs and overall compliance with 20 CFR 651, 653, and 658. SWAs use the Complaint/Apparent Violation Form, ETA Form 8429, to record and process complaints.

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 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.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB control number 1205-0039.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL 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,

²Due to the lapse in appropriations and ensuing cessation of Commission operations, all import injury reviews conducted under authority of Title VII of the Tariff Act of 1930 accordingly have been tolled pursuant to 19 U.S.C. 1675(c)(5).

e.g., permitting electronic submission of responses.

Agency: DOL–ETA.

Type of Review: Extension without changes.

Title of Collection: Migrant and Seasonal Farmworker Monitoring Report and Complaint/Apparent Violation Form.

Forms: ETA 5148, ETA 8429.

OMB Control Number: 1205–0039.

Affected Public: Farmworkers, SWAs, agricultural employers, and the public.

Estimated Number of Respondents: 51 for ETA Form 5148, and 3,082 for ETA Form 8429.

Frequency: Quarterly for ETA Form 5148, and frequently for ETA Form 8429.

Total Estimated Annual Responses: 204 for ETA Form 5148, and 3,082 for ETA Form 8429.

Estimated Average: Time per Response: 60 minutes for reporting and 4.43 hours for record keeping for ETA Form 5148, and 120 minutes for reporting and 30 minutes for completion of ETA Form 8429.

Estimated Total Annual Burden Hours: 1,108 hours for ETA Form 5148, and 7,705 hours for ETA Form 8429.

The annual burden for this ICR decreased from 9,706 hours to 8,813 hours (1,108 hours for the 5148, 7,705 hours for the 8429), resulting in a decrease of 893 hours over ETA's previous estimate.

Total Estimated Annual Other Cost Burden: \$0.

Molly E. Conway,

Acting Assistant Secretary for Employment and Training Administration, U.S. Department of Labor.

[FR Doc. 2019–04092 Filed 3–6–19; 8:45 am]

BILLING CODE 4510–FN–P

DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

Division of Federal Employees' Compensation; Proposed Extension of Existing Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95). This program helps to ensure

that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Office of Workers' Compensation Programs is soliciting comments concerning its proposal to extend OMB approval of the information collection: *Request for Employment Information (CA–1027)*. A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

DATES: Written comments must be submitted to the office listed in the addresses section below on or before May 6, 2019.

ADDRESSES: You may submit comments by mail, delivery service, or by hand to Ms. Yoon Ferguson, U.S. Department of Labor, 200 Constitution Ave. NW, Room S–3201, Washington, DC 20210; by fax, (202) 354–9647, or email to ferguson.yoon@dol.gov. Please use only one method of transmission for comments (mail/delivery, fax, or email). Please note that comments submitted after the comment period will not be considered.

SUPPLEMENTARY INFORMATION:

I. Background: Payment of compensation for partial disability to injured Federal workers is required by 5 U.S.C. 8106. That section also requires the Office of Workers' Compensation Programs (OWCP) to obtain information regarding a claimant's earnings during a period of eligibility to compensation. The CA–1027, Request for Employment Information, is the form used to obtain information for an individual who is employed by a private employer. This information is used to determine the claimant's entitlement to compensation benefits. This information collection is currently approved for use through May 31, 2019.

II. Review Focus: The Department of Labor is particularly interested in comments which:

- * Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- * evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- * enhance the quality, utility and clarity of the information to be collected; and

- * minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. Current Actions: The Department of Labor seeks the approval for the extension of this currently approved information collection in order to determine a claimant's eligibility for compensation benefits.

Type of Review: Extension.

Agency: Office of Workers' Compensation Programs.

Title: Request for Employment Information.

OMB Number: 1240–0047.

Agency Number: CA–1027.

Affected Public: Business or other for-profit.

Total Respondents: 34.

Total Annual Responses: 34.

Average Time per Response: 15 minutes.

Estimated Total Burden Hours: 9.

Frequency: On occasion.

Total Burden Cost (capital/startup): \$0.

Total Burden Cost (operating/maintenance): \$20.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: March 1, 2019.

Yoon Ferguson,

Agency Clearance Officer, Office of Workers' Compensation Programs, U.S. Department of Labor.

[FR Doc. 2019–04099 Filed 3–6–19; 8:45 am]

BILLING CODE 4510–CH–P

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request; Antarctic Emergency Response Plan and Environmental Protection Information

AGENCY: National Science Foundation.

ACTION: Notice.

SUMMARY: The National Science Foundation (NSF) is announcing plans to renew this collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, we are providing opportunity for public comment on this action. After obtaining and considering public comment, NSF will prepare the submission requesting Office of

Management and Budget (OMB) clearance of this collection for no longer than 3 years.

DATES: Written comments on this notice must be received by May 6, 2019 to be assured consideration. Comments received after that date will be considered to the extent practicable. Send comments to address below.

FOR FURTHER INFORMATION CONTACT:

Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Suite W18200, Alexandria, Virginia 22314; telephone (703) 292-7556; or send email to splimpto@nsf.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

SUPPLEMENTARY INFORMATION:

Title of Collection: Antarctic emergency response plan and environmental protection information.

OMB Approval Number: 3145-0180.

Expiration Date of Approval: September 30, 2019.

Abstract: The NSF, pursuant to the Antarctic Conservation Act of 1978 (16 U.S.C. 2401 *et seq.*) (“ACA”) regulates certain non-governmental activities in Antarctica. The ACA was amended in 1996 by the Antarctic Science, Tourism, and Conservation Act. On September 7, 2001, NSF published a final rule in the **Federal Register** (66 FR 46739) implementing certain of these statutory amendments. The rule requires non-governmental Antarctic expeditions using non-U.S. flagged vessels to ensure that the vessel owner has an emergency response plan. The rule also requires persons organizing a non-governmental expedition to provide expedition members with information on their environmental protection obligations under the Antarctic Conservation Act.

Expected Respondents. Respondents may include non-profit organizations and small and large businesses. The majority of respondents are anticipated to be U.S. tour operators, currently estimated to number fifteen.

Burden on the Public. The Foundation estimates that a one-time paperwork and recordkeeping burden of 40 hours or less, at a cost of \$500 to \$1400 per respondent, will result from the emergency response plan requirement contained in the rule. Presently, all respondents have been providing expedition members with a copy of the Guidance for Visitors to the Antarctic (prepared and adopted at the Eighteenth Antarctic Treaty Consultative Meeting as Recommendation XVIII-1). Because

this Antarctic Treaty System document satisfies the environmental protection information requirements of the rule, no additional burden shall result from the environmental information requirements in the proposed rule.

Dated: March 4, 2019.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2019-04116 Filed 3-6-19; 8:45 am]

BILLING CODE 7555-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 33385; 812-14938]

Infusive US Trust, et al.; Notice of Application

March 1, 2019.

AGENCY: Securities and Exchange Commission (“Commission”).

ACTION: Notice.

Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (the “Act”) for an exemption from sections 2(a)(32), 5(a)(1), 22(d), and 22(e) of the Act and rule 22c-1 under the Act, under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and 17(a)(2) of the Act, and under section 12(d)(1)(J) for an exemption from sections 12(d)(1)(A) and 12(d)(1)(B) of the Act. The requested order would permit (a) index-based series of certain open-end management investment companies (“Funds”) to issue shares redeemable in large aggregations (“Creation Units”); (b) secondary market transactions in Fund shares to occur at negotiated market prices rather than at net asset value (“NAV”); (c) certain Funds to pay redemption proceeds, under certain circumstances, more than seven days after the tender of shares for redemption; (d) certain affiliated persons of a Fund to deposit securities into, and receive securities from, the Fund in connection with the purchase and redemption of Creation Units; (e) certain registered management investment companies and unit investment trusts outside of the same group of investment companies as the Funds (“Funds of Funds”) to acquire shares of the Funds; and (f) certain Funds (“Feeder Funds”) to create and redeem Creation Units in-kind in a master-feeder structure.

Applicants: Infusive US Trust (the “Trust”), a Delaware statutory trust, which is registered under the Act as an open-end management investment

company, and Infusive Asset Management, Inc. (the “Initial Adviser”), a Delaware Corporation registered as an investment adviser under the Investment Advisers Act of 1940.

Filing Dates: The application was filed on August 7, 2018, and amended on December 18, 2018 and February 13, 2019.

Hearing or Notification of Hearing: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission’s Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on March 26, 2019, and should be accompanied by proof of service on applicants, in the form of an affidavit, or for lawyers, a certificate of service. Pursuant to rule 0-5 under the Act, hearing requests should state the nature of the writer’s interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission’s Secretary.

ADDRESSES: Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090; Applicants: Infusive US Trust and Infusive Asset Management, Inc., 750 Lexington Avenue, 26th Floor, New York, New York 10022.

FOR FURTHER INFORMATION CONTACT: Thankam A. Varghese, Attorney-Adviser, at (202) 551-6446, or Parisa Haghshenas, Branch Chief, at (202) 551-6723 (Division of Investment Management, Chief Counsel’s Office).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission’s website by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

Summary of the Application

1. Applicants request an order that would allow Funds to operate as index exchange traded funds (“ETFs”).¹ Fund

¹ Applicants request that the order apply to the Initial Fund and any additional series of the Trust, and any other existing or future open-end management investment company or existing or future series thereof (each, included in the term “Fund”), each of which will operate as an ETF, and their respective existing or future master funds, and will track a specified index comprised of domestic and/or foreign equity securities and/or domestic

shares will be purchased and redeemed at their NAV in Creation Units only. All orders to purchase Creation Units and all redemption requests will be placed by or through an "Authorized Participant," which will have signed a participant agreement with the Distributor. Shares will be listed and traded individually on a national securities exchange, where share prices will be based on the current bid/offer market. Certain Funds may operate as Feeder Funds in a master-feeder structure. Any order granting the requested relief would be subject to the terms and conditions stated in the application.

2. Each Fund will hold investment positions selected to correspond closely to the performance of an Underlying Index. In the case of Self-Indexing Funds, an affiliated person, as defined in section 2(a)(3) of the Act ("Affiliated Person"), or an affiliated person of an Affiliated Person ("Second-Tier Affiliate"), of the Trust or a Fund, of the Adviser, of any sub-adviser to or promoter of a Fund, or of the Distributor will compile, create, sponsor or maintain the Underlying Index.²

3. Shares will be purchased and redeemed in Creation Units and generally on an in-kind basis. Except where the purchase or redemption will include cash under the limited circumstances specified in the application, purchasers will be required to purchase Creation Units by depositing specified instruments ("Deposit Instruments"), and shareholders redeeming their shares will receive specified instruments ("Redemption Instruments"). The Deposit Instruments and the Redemption Instruments will each correspond pro rata to the positions in the Fund's portfolio (including cash positions) except as specified in the application.

4. Because shares will not be individually redeemable, applicants request an exemption from section

5(a)(1) and section 2(a)(32) of the Act that would permit the Funds to register as open-end management investment companies and issue shares that are redeemable in Creation Units only.

5. Applicants also request an exemption from section 22(d) of the Act and rule 22c-1 under the Act as secondary market trading in shares will take place at negotiated prices, not at a current offering price described in a Fund's prospectus, and not at a price based on NAV. Applicants state that (a) secondary market trading in shares does not involve a Fund as a party and will not result in dilution of an investment in shares, and (b) to the extent different prices exist during a given trading day, or from day to day, such variances occur as a result of third-party market forces, such as supply and demand. Therefore, applicants assert that secondary market transactions in shares will not lead to discrimination or preferential treatment among purchasers. Finally, applicants represent that share market prices will be disciplined by arbitrage opportunities, which should prevent shares from trading at a material discount or premium from NAV.

6. With respect to Funds that effect creations and redemptions of Creation Units in kind and that are based on certain Underlying Indexes that include foreign securities, applicants request relief from the requirement imposed by section 22(e) in order to allow such Funds to pay redemption proceeds within fifteen calendar days following the tender of Creation Units for redemption. Applicants assert that the requested relief would not be inconsistent with the spirit and intent of section 22(e) to prevent unreasonable, undisclosed or unforeseen delays in the actual payment of redemption proceeds.

7. Applicants request an exemption to permit Funds of Funds to acquire Fund shares beyond the limits of section 12(d)(1)(A) of the Act; and the Funds, and any principal underwriter for the Funds, and/or any broker or dealer registered under the Exchange Act, to sell shares to Funds of Funds beyond the limits of section 12(d)(1)(B) of the Act. The application's terms and conditions are designed to, among other things, help prevent any potential (i) undue influence over a Fund through control or voting power, or in connection with certain services, transactions, and underwritings, (ii) excessive layering of fees, and (iii) overly complex fund structures, which are the concerns underlying the limits in sections 12(d)(1)(A) and (B) of the Act.

8. Applicants request an exemption from sections 17(a)(1) and 17(a)(2) of the

Act to permit persons that are Affiliated Persons, or Second Tier Affiliates, of the Funds, solely by virtue of certain ownership interests, to effectuate purchases and redemptions in-kind. The deposit procedures for in-kind purchases of Creation Units and the redemption procedures for in-kind redemptions of Creation Units will be the same for all purchases and redemptions, and Deposit Instruments and Redemption Instruments will be valued in the same manner as those investment positions currently held by the Funds. Applicants also seek relief from the prohibitions on affiliated transactions in section 17(a) to permit a Fund to sell its shares to and redeem its shares from a Fund of Funds, and to engage in the accompanying in-kind transactions with the Fund of Funds.³ The purchase of Creation Units by a Fund of Funds directly from a Fund will be accomplished in accordance with the policies of the Fund of Funds and will be based on the NAVs of the Funds.

9. Applicants also request relief to permit a Feeder Fund to acquire shares of another registered investment company managed by the Adviser having substantially the same investment objectives as the Feeder Fund ("Master Fund") beyond the limitations in section 12(d)(1)(A) and permit the Master Fund, and any principal underwriter for the Master Fund, to sell shares of the Master Fund to the Feeder Fund beyond the limitations in section 12(d)(1)(B).

10. Section 6(c) of the Act permits the Commission to exempt any persons or transactions from any provision of the Act if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Section 12(d)(1)(J) of the Act provides that the Commission may exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision of section 12(d)(1) if the exemption is consistent with the public interest and the protection of investors. Section 17(b) of the Act authorizes the Commission to grant an order permitting a transaction otherwise prohibited by section 17(a) if it finds

³ The requested relief would apply to direct sales of shares in Creation Units by a Fund to a Fund of Funds and redemptions of those shares. Applicants, moreover, are not seeking relief from section 17(a) for, and the requested relief will not apply to, transactions where a Fund could be deemed an Affiliated Person, or a Second-Tier Affiliate, of a Fund of Funds because an Adviser or an entity controlling, controlled by or under common control with an Adviser provides investment advisory services to that Fund of Funds.

and/or foreign fixed income securities (each, an "Underlying Index"). Any Fund will (a) be advised by the Initial Adviser or an entity controlling, controlled by, or under common control with the Initial Adviser (each of the foregoing and any successor thereto, an "Adviser") and (b) comply with the terms and conditions of the application. For purposes of the requested order, a "successor" is limited to an entity or entities that result from a reorganization into another jurisdiction or a change in the type of business organization.

² Each Self-Indexing Fund will post on its website the identities and quantities of the investment positions that will form the basis for the Fund's calculation of its NAV at the end of the day. Applicants believe that requiring Self-Indexing Funds to maintain full portfolio transparency will help address, together with other protections, conflicts of interest with respect to such Funds.

that (a) the terms of the proposed transaction are fair and reasonable and do not involve overreaching on the part of any person concerned; (b) the proposed transaction is consistent with the policies of each registered investment company involved; and (c) the proposed transaction is consistent with the general purposes of the Act.

For the Commission, by the Division of Investment Management, under delegated authority.

Eduardo A. Aleman,
Deputy Secretary.

[FR Doc. 2019-04078 Filed 3-6-19; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-85229; File No. 4-546]

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the Options Order Protection and Locked/Crossed Market Plan To Add MIAX Emerald, LLC, as a Participant

March 1, 2019.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 608 thereunder,² notice is hereby given that on February 14, 2019, MIAX Emerald, LLC (“MIAX Emerald” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) an amendment to the Options Order Protection and Locked/Crossed Market Plan (“Plan”).³ The amendment adds MIAX Emerald as a

¹ 15 U.S.C. 78k-1(a)(3).

² 17 CFR 242.608.

³ On July 30, 2009, the Commission approved the Plan, which was proposed by Chicago Board Options Exchange, Incorporated (“CBOE”), International Securities Exchange, LLC (“ISE”), The NASDAQ Stock Market LLC (“Nasdaq”), NASDAQ OMX BX, Inc. (“BX”), NASDAQ OMX PHLX, Inc. (“Phlx”), NYSE Amex, LLC (“NYSE Amex”), and NYSE Arca, Inc. (“NYSE Arca”). See Securities Exchange Act Release No. 60405 (July 30, 2009), 74 FR 39362 (August 6, 2009). See also Securities Exchange Act Release No. 61546 (February 19, 2010), 75 FR 8762 (February 25, 2010) (adding BATS Exchange, Inc. (“BATS”) as a Participant); 63119 (October 15, 2010), 75 FR 65536 (October 25, 2010) (adding C2 Options Exchange, Incorporated (“C2”) as a Participant); 66969 (May 12, 2015), 77 FR 29396 (May 17, 2012) (adding BOX Options Exchange LLC (“BOX Options”) as a Participant); 70763 (October 28, 2013), 78 FR 65734 (November, 2013) (adding Topaz Exchange, LLC (“Topaz”) as a Participant); 70762 (October 28, 2013), 78 FR 65733 (November 1, 2013) (adding MIAX International Securities Exchange, LLC (“MIAX”) as a Participant); 76823 (January 5, 2016), 81 FR 1260 (January 11, 2016) (adding EDGX Exchange, Inc. (“EDGX”) as a Participant); 77324 (March 8, 2016), 81 FR 13425 (March 14, 2016) (adding ISE MERCURY, LLC (“ISE Mercury”) as a Participant); 79896 (January 30, 2017), 82 FR 9264 (February 3, 2017) (adding MIAX Pearl “Pearl”) as a Participant).

Participant⁴ to the Plan. The Commission is publishing this notice to solicit comments on the amendment from interested persons.

I. Description and Purpose of the Amendment

The Plan requires the options exchanges to establish a framework for providing order protection and addressing locked and crossed markets in eligible options classes. The amendment to the Plan adds MIAX Emerald as a Participant. The other Plan Participants are BATS, BOX, BX, C2, CBOE, EDGX, ISE, ISE Gemini, ISE Mercury, MIAX, Nasdaq, Pearl, Phlx, NYSE MKT, and NYSE Arca. MIAX Emerald has submitted an executed copy of the Plan to the Commission in accordance with the procedures set forth in the Plan regarding new Participants. Section 3(c) of the Plan provides for the entry of new Participants to the Plan. Specifically, Section 3(c) of the Plan provides that an Eligible Exchange⁵ may become a Participant in the Plan by: (i) Executing a copy of the Plan, as then in effect; (ii) providing each current Participant with a copy of such executed Plan; and (iii) effecting an amendment to the Plan, as specified in Section 4(b) of the Plan.⁶

Section 4(b) of the Plan sets forth the process by which an Eligible Exchange may effect an amendment to the Plan. Specifically, an Eligible Exchange must: (a) Execute a copy of the Plan with the only change being the addition of the new Participant’s name in Section 3(a) of the Plan; and (b) submit the executed Plan to the Commission. The Plan then provides that such an amendment will be effective when the amendment is

⁴ The term “Participant” is defined as an Eligible Exchange whose participation in the Plan has become effective pursuant to Section 3(c) of the Plan.

⁵ Section 2(6) of the Plan defines an “Eligible Exchange” as a national securities exchange registered with the Commission pursuant to Section 6(a) of the Act, 15 U.S.C. 78f(a), that: (a) Is a “Participant Exchange” in the Options Clearing Corporation (“OCC”) (as defined in OCC By-laws, Section VII); (b) is a party to the Options Price Reporting Authority (“OPRA”) Plan (as defined in the OPRA Plan, Section 1); and (c) if the national securities exchange chooses not to become part to this Plan, is a participant in another plan approved by the Commission providing for comparable Trade-Through and Locked and Crossed Market protection. MIAX Emerald has represented that it has met the requirements for being considered an Eligible Exchange. See letter from Barbara Comly, Executive Vice President, General Counsel, and Corporate Secretary, MIAX Emerald, to Brent J. Fields, Secretary, Commission, dated February 13, 2019 (“Amendment”).

⁶ MIAX Emerald has represented that it has executed a copy of the current Plan, amended to include MIAX Emerald as a Participant and has sent each current Participant a copy of the executed Plan. See Amendment, *supra* note 5.

approved by the Commission or otherwise becomes effective pursuant to Section 11A of the Act and Rule 608 thereunder.

II. Effectiveness of the Proposed Linkage Plan Amendment

The foregoing Plan amendment has become effective pursuant to Rule 608(b)(3)(iii)⁷ because it has been designated by the sponsors as involving solely technical or ministerial matters. At any time within sixty days of the filing of this amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,⁸ if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the amendment 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 4-546 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 4-546. This file number should be included on the subject line if email is used. 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

⁷ 17 CFR 242.608(b)(3)(iii).

⁸ 17 CFR 242.608(a)(1).

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 20549-1090 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number 4-546 and should be submitted on or before March 28, 2019.

By the Commission.

Eduardo A. Aleman,

Deputy Secretary.

[FR Doc. 2019-04083 Filed 3-6-19; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-85236; File No. SR-ICEEU-2018-010]

Self-Regulatory Organizations; ICE Clear Europe Limited; Order Approving Proposed Rule Change Relating to Amendments to the ICE Clear Europe CDS Risk Policy (the "CDS Risk Policy"), CDS Clearing Back-Testing Policy (the "Back-Testing Policy") and CDS Stress-Testing Policy (the "Stress-Testing Policy") (Collectively, the "CDS Policies")

March 1, 2019.

I. Introduction

On November 13, 2018, ICE Clear Europe Limited ("ICE Clear Europe") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to modify and update certain provisions of its risk policies related to CDS Contracts. The proposed rule change was published for comment in the **Federal Register** on December 4, 2018.³ On December 26, 2018, the

Commission extended the period to take action on the proposed rule change to March 4, 2019.⁴ The Commission did not receive comments on the proposed rule change. For the reasons discussed below, the Commission is approving the proposed rule change.

II. Description of the Proposed Rule Change

A. CDS Risk Policy

The proposed rule change would incorporate into the CDS Risk Policy a description of ICE Clear Europe's overall Board risk appetite and limit framework.⁵ Currently the CDS Risk Policy does not reference the framework, but other ICE Clear Europe policies, including the Stress-Testing Policy, reference the framework. The description of the framework that the proposed rule change would add to the CDS Risk Policy would be consistent with the description of the framework that other ICE Clear Europe policies, including the Stress-Testing Policy, use. As described in the proposed change to the CDS Risk Policy, the framework would use Board-level risk appetite statements, risk appetite metrics, and management risk limits, and would be subject to review at least annually.⁶ The proposed rule change would add description of the framework to the CDS Risk Policy to make clear that the CDS Risk Policy is part of ICE Clear Europe's overall risk management.

The proposed rule change would specifically address periodic reviews of margin requirements and the related margin methodology and parameters. Currently, the CDS Risk Policy provides that ICE Clear Europe conducts a statistical analysis of the margin levels and market performance on at least a monthly basis. Similarly, under the proposed revised policy, the clearing risk department would be required to perform such a review at least monthly, consistent with applicable legal requirements.⁷

The proposed rule change would provide additional detail about the use of the results of such reviews by ICE Clear Europe management. Specifically, under the proposed rule change, the head of first line clearing risk would present the results of the monthly review to ICE Clear Europe's Model Oversight Committee ("MOC").⁸ The

head of first line clearing risk would report to the President of ICE Clear Europe and would manage ICE Clear Europe's first line clearing risk team including default management, liquidity risk, market risk and counterparty risk. Moreover, the proposed rule change would provide that at the end of each quarter, the Clearing Risk Department would share its monthly reviews from the quarter with the Risk Oversight Department ("ROD"), which would perform a second-line review. The head of second line clearing risk then would present the results of this quarterly review to the MOC. The head of second line clearing risk would be ICE Clear Europe's Chief Risk Officer and would report to the President and the senior independent director of ICE Clear Europe.⁹ The CDS Risk Policy currently provides only that the Risk Management Department recommends margin methodology changes to the President and Board of Directors of ICE Clear Europe for their approval. Thus, the proposed rule change would provide more explanation regarding ICE Clear Europe's use of the monthly reviews of margin levels.

The proposed amendments would also clarify that the Clearing Risk Department would recommend proposed margin methodology changes resulting from the review process to the Board for approval. Currently, the CDS Risk Policy provides that the ICE Clear Europe Risk Management Department recommends margin methodology changes to the President and the Board for their approval. Thus, this proposed change would update the name of the responsible ICE Clear Europe department from Risk Management Department to Clearing Risk Department. Moreover, this proposed change would eliminate a redundancy in providing that ICE Clear Europe's Board alone shall approve margin methodology changes. Because ICE Clear Europe's President also serves on the Board, it would not be necessary for both the President and the Board to separately approve margin methodology changes.¹⁰

The proposed rule change would specify in further detail the timing and extent of backtesting and stress testing.¹¹ Currently, the CDS Risk Policy provides that ICE Clear Europe conducts backtesting on a daily basis, but the Policy does not specify that ICE Clear Europe uses standard predetermined

⁴ Securities Exchange Act Release No. 84957 (Dec. 26, 2018), 84 FR 855 (Jan. 31, 2019) (SR-ICEEU-2018-010).

⁵ Capitalized terms not otherwise defined herein shall have the meanings given to them in the CDS Policies or ICE Clear Europe Rulebook.

⁶ Notice, 83 FR at 62638.

⁷ See 17 CFR 240.17Ad-22(e)(6)(vi).

⁸ Notice, 83 FR at 62638.

⁹ *Id.*

¹⁰ See https://www.theice.com/publicdocs/clear_europe/Organisational_Structure_Objectives_Strategy.pdf.

¹¹ Notice, 83 FR at 62638.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Securities Exchange Act Release No. 84667 (Nov. 28, 2018), 83 FR 62638 (Dec. 4, 2018) (SR-ICEEU-2018-010) ("Notice").

parameters and assumptions, nor does it provide any information about sensitivity analysis. Consistent with applicable law, the proposed rule change would require that: (i) ICE Clear Europe's Clearing Risk Department conduct backtesting at least once each day using standard predetermined parameters and assumptions; (ii) ICE Clear Europe conduct sensitivity analyses of its margin models and review parameters and assumptions for backtesting on at least a monthly basis; and (iii) ICE Clear Europe conduct sensitivity analyses and reviews more frequently than monthly when the relevant products cleared or markets served display high volatility or become less liquid or when the size or concentration of positions held by Clearing Members increases or decreases significantly.¹² With respect to stress testing, the CDS Risk Policy currently provides details regarding stress testing scenarios and provides that ICE Clear Europe executes such scenarios on a regular basis, but does not specify that ICE Clear Europe conducts stress testing daily or uses standard predetermined parameters and assumptions. Consistent with applicable law, the proposed rule change would require that the clearing risk department conduct stress testing at least once each day using standard predetermined parameters and assumptions, which are reviewed on at least a monthly basis and more frequently when the relevant products cleared or markets served display high volatility or become less liquid or when the size or concentration of positions held by Clearing Members increases or decreases significantly.¹³

The proposed rule change would also establish details regarding policy governance and reporting. The proposed rule change would specify that the models used to support the policy objectives of the policy are subject to an annual independent validation and governance oversight which may be performed by an independent member of the ROD or an external validator.¹⁴ The CDS Risk Policy does not currently provide any details regarding validation of the models used to support the policy. The CDS Risk Policy owner, who is the CDS Risk Director and part of the Clearing Risk Department, would be responsible for ensuring that the policy remains up-to-date and is reviewed, with the support of the ROD.¹⁵

The proposed rule change would also provide a new process for escalation

and reporting of any deviations from the policy, as well as compliance with regulatory reporting and filing requirements and would make the policy owner responsible for both.

Under the current policy, any changes to the Policy that affect the risk profile of ICE Clear Europe are subject to Board approval, and any exceptions or deviations from the Policy must be reported to the Chief Risk Officer and escalated to the CDS Risk Committee and Board Risk Committee, if material. Under the proposed rule change, the policy owner must report any deviations from the Policy or material breaches to the President of ICE Clear Europe and the Risk Oversight Department, who will then proceed with appropriate governance and further escalation. Thus, this change ensures that deviations and material breaches are reported to the President and Risk Oversight Department who can then proceed with Board involvement if needed. This change also ensures the involvement of the Risk Oversight Department, who supports other functions under the Policy, such as the reviews discussed above. Finally, this change would make the process for escalation and reporting consistent with the process currently found in the Stress-Testing Policy.

The proposed rule change would further specify the roles of various departments and committees at ICEEU with respect to the CDS Risk Policy.¹⁶ Currently, the CDS Risk Policy describes the roles of the Risk Working Group ("RWG") (which consists of risk personnel of Clearing Members, and provides guidance on risk management matters, including review of margin and stress testing parameters), Trading Advisory Committee (which advises on pricing processes), and MOC (which is responsible for overall model risk management of the Clearing House, and for oversight of the periodic reviews described above) in advising on and approving matters related to the Policy. The proposed rule change would further specify the role of the RWG and MOC in providing feedback and reviewing the results of ongoing monitoring of models that support the CDS Risk Policy. The proposed rule change would also provide further detail as to the composition and role of the RWG and MOC. Finally, the proposed rule change would make the Clearing Risk Department, with the support of the ROD, responsible for adherence to the policy and relevant appetite metrics.

The proposed rule change would also update references to various committees

and departments of ICE Clear Europe, correct typographical and similar errors, update cross-references, and remove an unnecessary reference to ICE Clear Credit.

B. Back-Testing Policy

The proposed rule change would make changes to the Back-Testing Policy similar to those changes described above for the CDS Risk Policy. Specifically, the proposed rule change would incorporate into the Back-Testing Policy a description of ICE Clear Europe's overall Board risk appetite and limit framework.¹⁷ Currently the Back-Testing Policy does not reference the framework, but other ICE Clear Europe policies, including the Stress-Testing Policy, reference the framework. The description of the framework that the proposed rule change would add to the Back-Testing Policy would be consistent with the description of the framework that other ICE Clear Europe policies, including the Stress-Testing Policy, use. As described in the proposed change to the Back-Testing Policy, the framework would use Board-level risk appetite statements, risk appetite metrics, and management risk limits, and would be subject to review at least annually.¹⁸ The proposed rule change would add description of the framework to the Back-Testing Policy to make clear that the Back-Testing Policy is part of ICE Clear Europe's overall risk management.

The proposed rule change would also add the same provisions relating to the timing of backtesting and related sensitivity analysis discussed above in the context of the CDS Risk Policy.¹⁹ Currently, the Back-Testing Policy provides that ICE Clear Europe conducts backtesting on a daily basis, but the Policy does not specify that ICE Clear Europe uses standard predetermined parameters and assumptions, nor does it provide any information about sensitivity analysis.

In addition, the proposed rule change would clarify the meaning of, and make other changes to, certain confidence levels used in the backtesting process.²⁰ Specifically, the proposed rule change would specify that these confidence levels represent the confidence to which models are expected to perform. Although the Back-Testing Policy currently describes the confidence levels that ICE Clear Europe uses in backtesting, it does not make clear what these confidence levels represent. Thus, the proposed change would clarify the

¹² See 17 CFR 240.17Ad-22(e)(6)(vi).

¹³ See 17 CFR 240.17Ad-22(e)(4)(vi).

¹⁴ Notice, 83 FR at 62638.

¹⁵ Notice, 83 FR at 62638.

¹⁶ *Id.*

¹⁷ Notice, 83 FR at 62638.

¹⁸ Notice, 83 FR at 62638.

¹⁹ *Id.*

²⁰ Notice, 83 FR at 62639.

meaning of the confidence levels and therefore how those confidence levels are used in evaluating ICE Clear Europe's backtesting. The proposed rule change would also remove a reference to the 99% quantile used before EMIR implementation. ICE Clear Europe no longer uses this confidence level in backtesting. Rather, in the guidelines relating to remediation of poor backtesting, the proposed rule change would state explicitly that portfolio backtesting is done using a confidence level of 99.5% or higher.

As with the amendments to the CDS Risk Policy, the proposed rule change would also establish details regarding policy governance and reporting.²¹ Specifically, the proposed rule change would specify that the models used to support the objectives of the Back-Testing Policy are subject to an annual independent validation and governance oversight which may be performed by an independent member of the ROD or an external validator. The Back-Testing Policy does not currently provide details regarding independent validation of the models used to support the Policy. The proposed rule change would make the Back-Testing Policy owner, who is the CDS Risk Director and part of the Clearing Risk Department, responsible for ensuring that the Back-Testing Policy remains up-to-date and is reviewed, with the support of the ROD.²² The proposed rule change would make the Clearing Risk Department, with the support of the ROD, responsible for adherence to the policy and relevant appetite metrics.²³

The proposed rule change would also provide a new process for escalation and reporting of any deviations from the policy, as well as compliance with regulatory reporting and filing requirements and would make the policy owner responsible for both. Currently, the Back-Testing Policy provides that the Policy will be reviewed and approved in accordance with the Policy Governance Review Calendar, or whenever the Clearing House identifies further issues requiring specific attention under the Policy. The proposed rule change would provide that any deviations from the Policy must be appropriately escalated and reported in a timely manner by the policy owner and would also make the policy owner responsible for reporting any material breaches or deviations to the President and Risk Oversight Department. Thus, this proposed rule change would

provide additional detail to the escalation of changes to the Policy as well as make the process for escalation and reporting consistent with the process proposed to be added to the CDS Risk Policy. Finally, this change would make the process for escalation and reporting consistent with the process proposed for the CDS Risk Policy and the process currently found in the Stress-Testing Policy.

The proposed rule change would also update references to various committees and departments of ICE Clear Europe, correct typographical and similar errors, and update cross-references.

C. Stress-Testing Policy

The proposed rule change would make changes to the Stress-Testing Policy similar to those described above for the CDS Risk Policy. Specifically, the proposed rule change would amend the Stress-Testing Policy to include the same provisions relating to the timing of stress testing discussed above in the context of the CDS Risk Policy.²⁴ Currently, the Stress-Testing Policy provides details regarding stress testing scenarios and provides that ICE Clear Europe executes such scenarios on a regular basis, but does not specify that ICE Clear Europe conducts stress testing daily or uses standard predetermined parameters and assumptions.

The proposed rule change would also amend the Stress-Testing Policy to reflect the role of the Board Risk Committee, in addition to the CDS Risk Committee, in reviewing and overseeing stress testing. Specifically, the proposed rule change would amend the Stress-Testing Policy to ensure that both the CDS Risk Committee and the Board Risk Committee are sufficiently informed to advise the Board on the safety and soundness of the risk management approach and to provide a mechanism for management and the committees to test the level of protection offered in the potential stress scenarios.²⁵ Under the current policy, the Board Risk Committee, in addition to the CDS Risk Committee, reviews and advises on stress testing results. The current policy does not specifically require that the Board Risk Committee be sufficiently informed to advise the Board on the safety and soundness of the risk management approach or provide a mechanism for the Board Risk Committee to test the level of protection offered in the potential stress scenario, however. Thus, the proposed rule change would correct this situation and ensure that the Board Risk Committee is

sufficiently informed to fulfill its roll under the Policy.

III. Commission Findings

Section 19(b)(2)(C) of the Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to such organization.²⁶ For the reasons given below, the Commission finds that the proposed rule change is consistent with Section 17A(b)(3)(F) of the Act²⁷ and Rules 17Ad-22(e)(2)(i) and (v), (e)(4)(vi), and (e)(6)(vi) thereunder.²⁸

A. Consistency With Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act requires, among other things, that the rules of ICE Clear Europe be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions, as well as to assure the safeguarding of securities and funds which are in the custody or control of ICE Clear Europe or for which it is responsible, and, in general, to protect investors and the public interest.²⁹

As discussed above, the proposed rule change would amend the CDS Policies to provide more detail with respect to the use of the results of periodic reviews of margin requirements and the related methodology by ICE Clear Europe management, including second-line reviews and reporting to ICE Clear Europe's Chief Risk Officer, President, and senior independent director. The proposed rule change would also specify that ICE Clear Europe's daily backtesting uses standard predetermined parameters and assumptions and that ICE Clear Europe conducts sensitivity analyses of its margin models and reviews parameters and assumptions for backtesting on at least a monthly basis, and more frequently than monthly in certain cases, as discussed above. Similarly, the proposed rule change would specify that ICE Clear Europe conducts stress testing once each day and that in doing so, ICE Clear Europe uses standard predetermined parameters and assumptions, which are reviewed on at least a monthly basis and more

²⁶ 15 U.S.C. 78s(b)(2)(C).

²⁷ 15 U.S.C. 78q-1(b)(3)(F).

²⁸ 17 CFR 240.17Ad-22(e)(2)(i) and (v), (e)(4)(vi), and (e)(6)(vi).

²⁹ 15 U.S.C. 78q-1(b)(3)(F).

²¹ Notice, 83 FR at 62639.

²² *Id.*

²³ *Id.*

²⁴ Notice, 83 FR at 62639.

²⁵ Notice, 83 FR at 62639.

frequently, as discussed above. Finally, with respect to the Back-Testing Policy, the proposed rule change would clarify the meaning of confidence levels used in the backtesting process and eliminate a confidence level no longer used in backtesting.

The Commission believes that these changes, taken as a whole, would help to improve ICE Clear Europe's stress testing and backtesting. In providing more detail with respect to the use of the results of periodic reviews of margin requirements and the related methodology by ICE Clear Europe management, including second-line reviews and reporting to ICE Clear Europe's Chief Risk Officer, President, and senior independent director, the Commission believes that the proposed rule change would help to improve ICE Clear Europe's evaluation and revision of its margin requirements, related methodology, and parameters. The Commission believes that this, in turn, would help to ensure that ICE Clear Europe maintains effective margin requirements, related methodology, and parameters.

Similarly, in specifying that stress testing is conducted daily, the Commission believes that the proposed rule change would help improve the effectiveness of stress testing by ensuring that it is conducted on a regular basis. Moreover, in specifying that in conducting backtesting and stress testing ICE Clear Europe uses standard predetermined parameters and assumptions, the Commission believes that the proposed rule change would help ensure the accuracy and reliability of backtesting and stress testing. Finally, the Commission believes that in clarifying the meaning of confidence levels used in the backtesting process and removing a confidence level no longer used by ICE Clear Europe, the proposed rule change would help to ensure the effectiveness of ICE Clear Europe's backtesting process by helping to ensure that ICE Clear Europe conducts backtesting at the correct confidence level. Because backtesting and stress testing can help reveal inadequacies in ICE Clear Europe's margin requirements and the models that support those requirements, the Commission believes that the proposed rule change would help to ensure that ICE Clear Europe maintains effective margin requirements.

Given that an effective margin system is necessary to manage ICE Clear Europe's credit exposures to its Clearing Members and the risks associated with clearing security based swap-related portfolios, the Commission believes that the proposed rule change would help

improve ICE Clear Europe's ability to avoid losses that could result from the mismanagement of such credit exposures and risks. Because such losses could disrupt ICE Clear Europe's ability to promptly and accurately clear security based swap transactions, by making the above-described improvements to the review and reporting of ICE Clear Europe's margin requirements and timing and scope of backtesting and stress testing, the Commission believes that the proposed rule change would help promote the prompt and accurate clearance and settlement of securities transactions.

Similarly, appropriate management of ICE Clear Europe's credit exposures to its Clearing Members and the risks associated with clearing security based swap-related portfolios is critical to avoiding the realization of losses on such portfolios that could threaten ICE Clear Europe's ability to operate, thereby threatening access to securities and funds in ICE Clear Europe's control. Because the proposed changes would improve ICE Clear Europe's ability to manage such credit exposures by improving the processes ICE Clear Europe uses to review and maintain its margin system, including backtesting and stress testing, the Commission believes that the proposed rule change would help assure the safeguarding of securities and funds which are in the custody or control of ICE Clear Europe or for which it is responsible. Finally, for both of these reasons, the Commission believes the proposed rule change is consistent with protecting investors and the public interest.

Therefore, the Commission finds that the proposed rule change would promote the prompt and accurate clearance and settlement of securities transactions, assure the safeguarding of securities and funds in ICE Clear Europe's custody and control, and, in general, protect investors and the public interest, consistent with the Section 17A(b)(3)(F) of the Act.³⁰

B. Consistency With Rules 17Ad-22(e)(2)(i) and (v)

Rules 17Ad-22(e)(2)(i) and (v) require that ICE Clear Europe establish, implement, maintain and enforce written policies and procedures reasonably designed to provide for governance arrangements that are clear and transparent and specify clear and direct lines of responsibility.³¹

As discussed above, the proposed rule change would revise the CDS Policies to specify the roles of various departments

and committees at ICE Clear Europe, including the role of RWG and MOC in providing feedback and reviewing the results of ongoing monitoring of models that support the CDS Risk Policy and update references to ICE Clear Europe committees. The Commission believes that this change would improve the transparency of ICE Clear Europe's governance arrangements by clarifying the role played by various departments and committees in following and maintaining the CDS Policies.

With respect to the CDS Risk Policy and Back-Testing Policy specifically, the Commission believes that the proposed rule change, in incorporating an overall Board risk appetite and limit framework, would help to clarify the governance around the risk appetite associated with the CDS Risk Policy and Back-Testing Policy and make clear that the policies are part of ICE Clear Europe's overall risk management. The Commission similarly believes that the proposed rule change would help improve the transparency of ICE Clear Europe's governance arrangements in specifying that the models used to support the CDS Risk Policy and Back-Testing Policy are subject to an annual independent validation and governance oversight. The Commission further believes that the proposed rule change would help ICE Clear Europe specify clear and direct responsibility for the CDS Risk Policy and Back-Testing Policy by assigning an owner for each policy and making that owner responsible for ensuring that the policy remains up-to-date and is reviewed. Similarly, the Commission believes that in making the clearing risk department, with the support of the ROD, responsible for adherence to the policies and relevant appetite metrics, the proposed rule change would specify who is responsible for compliance with the policies. Finally, the Commission believes that, in amending the CDS Risk Policy and Back-Testing Policy to provide a new process for escalation and reporting of any deviations from the policies, as well as compliance with regulatory reporting and filing requirements (and make the policy owner responsible for both), the proposed rule change would clarify the governance arrangements with respect to deviations from the policies. This proposed change would also make the process for escalation and reporting consistent across all of the CDS Policies, thus further contributing to clarity and transparency of ICE Clear Europe's governance arrangements.

With respect to the Stress-Testing Policy, the Commission also believes that the proposed rule change, in

³⁰ 15 U.S.C. 78q-1(b)(3)(F).

³¹ 17 CFR 240.17Ad-22(e)(2)(i) and (v).

specifically requiring that the Board Risk Committee be sufficiently informed to advise the Board on the safety and soundness of the risk management approach, would help to ensure that the Board Risk Committee is sufficiently informed to carry out its roll under the Policy, thereby helping to ensure that the Board Risk Committee has a clear and direct responsibility under the Policy.

Finally, the Commission believes that in correcting typographical errors and updating cross-references, as discussed above, the proposed rule change would clarify ICE Clear Europe's governance arrangements by helping to ensure that the CDS Policies correctly reference the positions, departments, and/or committees responsible under the CDS Policies.

Therefore, for the above reasons the Commission finds that the proposed rule change is consistent with Rules 17Ad-22(e)(2)(i) and (v).³²

C. Consistency With Rule 17Ad-22(e)(4)(vi)

Rule 17Ad-22(e)(4)(vi) requires that ICE Clear Europe establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively identify, measure, monitor, and manage its credit exposures to participants and those arising from its payment, clearing, and settlement processes, including by testing the sufficiency of its total financial resources available to meet the minimum financial resource requirements under Rule 17Ad-22(e)(4)(i) through (iii), as applicable, by (i) conducting stress testing of its total financial resources once each day using standard predetermined parameters and assumptions; (ii) conducting a comprehensive analysis on at least a monthly basis of the existing stress testing scenarios, models, and underlying parameters and assumptions, and considering modifications to ensure they are appropriate for determining the required level of default protection in light of current and evolving market conditions; (iii) conducting a comprehensive analysis of stress testing scenarios, models, and underlying parameters and assumptions more frequently than monthly when the products cleared or markets served display high volatility or become less liquid, or when the size or concentration of positions held by its participants increases significantly; and (iv) reporting the results of its analyses to appropriate decision makers at ICE Clear Europe, including but not limited

to, its risk management committee or board of directors.³³

As discussed above, ICE Clear Europe's policies do not currently require that stress testing be conducted daily or that it use standard predetermined parameters and assumptions. The proposed rule change would amend the CDS Risk Policy and Stress-Testing Policy to require that ICE Clear Europe's clearing risk department conduct stress testing at least once each day using standard predetermined parameters and assumptions, which are reviewed on at least a monthly basis and more frequently when the relevant products cleared or markets served display high volatility or become less liquid or when the size or concentration of positions held by Clearing Members increases or decreases significantly. Moreover, the proposed rule change would amend the CDS Risk Policy to provide greater detail with respect to ICE Clear Europe's periodic reviews, including second-line review and reporting, of margin requirements, related methodology, and parameters.

The Commission believes that these proposed amendments would help ensure that ICE Clear Europe complies with the requirements of Rule 17Ad-22(e)(4)(vi) by establishing standards for frequency of testing and review and use of standard predetermined parameters and assumptions consistent with those of the rule. Therefore, the Commission finds that the proposed rule change is consistent with Rule 17Ad-22(e)(4)(vi).³⁴

D. Consistency With Rule 17Ad-22(e)(6)(vi)

Rule 17Ad-22(e)(6)(vi) requires that ICE Clear Europe establish, implement, maintain and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that, at a minimum is monitored by management on an ongoing basis and is regularly reviewed, tested, and verified by (i) conducting backtests of its margin model at least once each day using standard predetermined parameters and assumptions; (ii) conducting a sensitivity analysis of its margin model and a review of its parameters and assumptions for backtesting on at least a monthly basis, and considering modifications to ensure the backtesting practices are appropriate for determining the adequacy of its margin resources; (iii) conducting a sensitivity analysis of its margin model and a

review of its parameters and assumptions for backtesting more frequently than monthly during periods of time when the products cleared or markets served display high volatility or become less liquid, or when the size or concentration of positions held by participants increases or decreases significantly; and (iv) reporting the results of its analyses under to appropriate decision makers, including but not limited to, its risk management committee or board of directors, and using these results to evaluate the adequacy of and adjust its margin methodology, model parameters, and any other relevant aspects of its credit risk management framework.³⁵

As discussed above, ICE Clear Europe's policies do not currently require that ICE Clear Europe use standard predetermined parameters and assumptions in conducting backtesting nor do they provide detail regarding sensitivity analysis. The proposed rule change would amend the CDS Risk Policy and Back-Testing Policy to require that (i) ICE Clear Europe's clearing risk department conduct backtesting at least once each day using standard predetermined parameters and assumptions and (ii) ICE Clear Europe conduct sensitivity analyses of its margin models and review parameters and assumptions for backtesting on at least a monthly basis, and more frequently than monthly when the relevant products cleared or markets served display high volatility or become less liquid or when the size or concentration of positions held by Clearing Members increases or decreases significantly. Moreover, the proposed rule change would amend the CDS Risk Policy to provide greater detail with respect to ICE Clear Europe's periodic reviews, including second-line review and reporting, of margin requirements, related methodology, and parameters.

The Commission believes that these proposed amendments would help ensure that ICE Clear Europe complies with the requirements of Rule 17Ad-22(e)(6)(vi) by establishing standards for frequency of testing and review, use of standard predetermined parameters and assumptions, and use of sensitivity analysis consistent with those of the rule. Therefore, the Commission finds that the proposed rule change is consistent with Rule 17Ad-22(e)(6)(vi).³⁶

³² 17 CFR 240.17Ad-22(e)(2)(i) and (v).

³³ 17 CFR 240.17Ad-22(e)(4)(vi).

³⁴ 17 CFR 240.17Ad-22(e)(4)(vi).

³⁵ 17 CFR 240.17Ad-22(e)(6)(vi).

³⁶ 17 CFR 240.17Ad-22(e)(6)(vi).

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposal is consistent with the requirements of the Act, and in particular, with the requirements of Section 17A(b)(3)(F) of the Act³⁷ and Rules 17Ad-22(e)(2)(i) and (v), (e)(4)(vi), and (e)(6)(vi) thereunder.³⁸

It is therefore ordered pursuant to Section 19(b)(2) of the Act³⁹ that the proposed rule change (SR-ICEEU-2018-010) be, and hereby is, approved.⁴⁰

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴¹

Eduardo A. Aleman,
Deputy Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-85225; File No. SR-EMERALD-2019-06]

Self-Regulatory Organizations; MIAX Emerald, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 510, Minimum Price Variations and Minimum Trading Increments To Extend the Penny Pilot Program

March 1, 2019.

Pursuant to the provisions of 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 February 19, 2019, MIAX Emerald, LLC (“MIAX Emerald” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”) a proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend Exchange Rule 510, Minimum Price Variations and Minimum Trading

Increments, Interpretations and Policies .01 to change the date on which the pilot program for the quoting and trading of certain options in pennies is scheduled to expire.

The text of the proposed rule change is available on the Exchange’s website at <http://www.miaxoptions.com/rule-filings/emerald>, at MIAX Emerald’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 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

Background

MIAX Emerald plans to commence operations as a national securities exchange registered under Section 6 of the Act³ on March 1, 2019. As described more fully in MIAX Emerald’s Form 1 application,⁴ the Exchange is an affiliate of Miami International Securities Exchange, LLC (“MIAX Options”) and MIAX PEARL, LLC (“MIAX PEARL”). MIAX Emerald Rules, in their current form, were filed as Exhibit B to its Form 1 on August 16, 2018, and at that time, the above mentioned rules, were substantially similar to the rules of the MIAX Options exchange. In the time between when the Exchange filed its Form 1 and the time the Exchange received its approval order, MIAX Options made changes to its rule book. In order to ensure consistent operation of both MIAX Emerald and MIAX Options by having consistent rules, the Exchange proposes to amend MIAX Emerald Rule 510, as described below.

³ 15 U.S.C. 78f.

⁴ See Securities Exchange Act Release No. 84891 (December 20, 2018), 83 FR 67421 (December 28, 2018) (File No. 10-233) (order approving application of MIAX EMERALD, LLC for registration as a national securities exchange).

Proposal

Once operational, the Exchange will be a participant in an industry-wide pilot program that provides for the quoting and trading of certain option classes in penny increments (the “Penny Pilot Program” or “Program”). The Penny Pilot Program allows the quoting and trading of certain option classes in minimum increments of \$0.01 for all series in such option classes with a price of less than \$3.00; and in minimum increments of \$0.05 for all series in such option classes with a price of \$3.00 or higher. Options overlying the PowerShares QQQ™ (“QQQ”), SPDR® S&P 500® ETF (“SPY”), and iShares® Russell 2000 ETF (“IWM”), however, are quoted and traded in minimum increments of \$0.01 for all series regardless of the price. The Penny Pilot Program was initiated at the then existing option exchanges in January 2007⁵ and currently includes more than 300 of the most active option classes. Rule 510, Interpretations and Policies .01, currently states that the Penny Pilot Program is scheduled to expire on December 31, 2018. The purpose of the proposed rule change is to modify the expiration date set forth in Rule 510, to match the most recent expiration date, as updated by the other options exchanges, including MIAX Options.⁶

In addition to changing the date on which the Penny Pilot Program will expire, which will be June 30, 2019, the Exchange proposes to make one additional change to the Rule. Currently, Interpretations and Policies .01, states that the Exchange will replace any Penny Pilot issues that have been delisted with the next most actively traded multiply listed option classes that are not yet included in the Penny Pilot Program, and that the replacement issues will be selected based on trading activity in the previous six months. Such option classes will be added to the Penny Pilot Program on the second trading day following July 1, 2018.⁷

⁵ See Securities Exchange Act Release Nos. 55154 (January 23, 2007), 72 FR 4743 (February 1, 2007) (SR-CBOE-2006-92); 55161 (January 24, 2007), 72 FR 4754 (February 1, 2007) (SR-ISE-2006-62); 54886 (December 6, 2006), 71 FR 74979 (December 13, 2006) (SR-Phlx-2006-74); 54590 (October 12, 2006), 71 FR 61525 (October 18, 2006) (SR-NYSEArca-2006-73); and 54741 (November 9, 2006), 71 FR 67176 (November 20, 2006) (SR-Amex-2006-106).

⁶ See Securities Exchange Act Release No. 84864 (December 19, 2018), 83 FR 66778 (December 27, 2018) (SR-MIAX-2018-38) (extending the Penny Pilot Program from December 31, 2018 to June 30, 2019).

⁷ The month immediately preceding a replacement class’s addition to the Pilot Program (*i.e.*, December) is not used for purposes of the six-

Continued

³⁷ 15 U.S.C. 78q-1(b)(3)(F).

³⁸ 17 CFR 240.17Ad-22(e)(2)(i) and (v), (e)(4)(vi), and (e)(6)(vi).

³⁹ 15 U.S.C. 78s(b)(2).

⁴⁰ In approving the proposed rule change, the Commission considered the proposal’s impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁴¹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

However, this date has expired and although the Exchange intends to adhere to this practice for the duration of the Penny Pilot Program, the new date on which replacement issues may be added to the Penny Pilot Program would have been the second trading day following January 1, 2019, which has already passed. Therefore, the Exchange proposes to delete the sentence which currently states that “[t]he replacement classes may be added to the penny pilot on the second trading day following July 1, 2018,” and not replace the current date of July 1, 2018 with the date of January 1, 2019. The Exchange notes that this would create a difference between the rule text of MIAX Emerald and that of MIAX Options,⁸ however, in practice there would be no difference as the second trading day following January 1, 2019 has already passed.

2. Statutory Basis

The Exchange believes that its proposed rule change is consistent with Section 6(b) of the Act⁹ in general, and furthers the objectives of Section 6(b)(5) of the Act¹⁰ in particular, in that it is 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 facilitating transactions in securities, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest.

In particular, the proposed rule change, which modifies the expiration date of the Penny Pilot Program set forth in Rule 510, to match the most recent expiration date, as updated by the other options exchanges, will allow the Exchange to participate in a program that has been viewed as beneficial to traders, investors and public customers and viewed as successful by the other options exchanges participating in it.

Additionally, the Exchange believes that although MIAX Emerald rules may, in certain instances, intentionally differ from MIAX Options rules, the proposed changes will promote uniformity with MIAX Options with respect to rules that are intended to be identical. The Exchange believes that it will reduce the potential for confusion by its members that are also members of MIAX Options

with respect to rules that are intended to be identical.

B. Self-Regulatory Organization's Statement on Burden on Competition

MIAX Emerald does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. Specifically, the Exchange believes that, by modifying the expiration date of the Penny Pilot Program to match the most recent expiration date, as updated by the other options exchanges, the proposed rule change will allow for analysis of the Penny Pilot Program and a determination of how the Program should be structured in the future. The Exchange believes that the proposed rule change, which harmonizes its rules with recent rule changes adopted by MIAX Options will reduce the regulatory burden placed on market participants engaged in trading activities across different markets. In doing so, the proposed rule change will also serve to promote regulatory clarity and consistency, thereby reducing burdens on the marketplace, facilitating investor protection, and fostering a competitive environment.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act¹¹ and Rule 19b-4(f)(6)¹² thereunder. 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 after the date of the filing, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to 19(b)(3)(A) of the Act¹³ and Rule 19b-4(f)(6)¹⁴ thereunder.

¹¹ 15 U.S.C. 78s(b)(3)(A).

¹² 17 CFR 240.19b-4(f)(6).

¹³ 15 U.S.C. 78s(b)(3)(A).

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

A proposed rule change filed under Rule 19b-4(f)(6)¹⁵ normally does not become operative prior to 30 days after the date of filing. However, pursuant to Rule 19b-4(f)(6)(iii),¹⁶ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because doing so will allow the Pilot Program to continue without interruption in a manner that is consistent with the Commission's prior approval of the extension and expansion of the Pilot Program.¹⁷ Accordingly, the Commission designates the proposed rule change as operative upon filing with the Commission.¹⁸

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 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-EMERALD-2019-06 on the subject line.

change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁵ 17 CFR 240.19b-4(f)(6).

¹⁶ 17 CFR 240.19b-4(f)(6)(iii).

¹⁷ See Securities Exchange Release No. 61061 (November 24, 2009), 74 FR 62857 (December 1, 2009) (SR-NYSEArca-2009-44).

¹⁸ For purposes only of waiving the operative delay for this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

month analysis. For example, a replacement added on the second trading day following January 1, 2019, will be identified based on trading activity from June 1, 2018, through November 30, 2018.

⁸ See *supra* note 6.

⁹ 15 U.S.C. 78f(b).

¹⁰ 15 U.S.C. 78f(b)(5).

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-EMERALD-2019-06. 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 20549-1090, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-EMERALD-2019-06 and should be submitted on or before March 28, 2019.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁹

Eduardo A. Aleman,
Deputy Secretary.

[FR Doc. 2019-04087 Filed 3-6-19; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-85228; File No. 4-443]

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the Plan for the Purpose of Developing and Implementing Procedures Designed To Facilitate the Listing and Trading of Standardized Options To Add MIAX Emerald, LLC as a Plan Sponsor

March 1, 2019.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 608 thereunder,² notice is hereby given that on February 13, 2019, MIAX Emerald, LLC ("MIAX Emerald" or "Exchange") filed with the Securities and Exchange Commission ("Commission") an amendment to the Plan for the Purpose of Developing and Implementing Procedures Designed to Facilitate the Listing and Trading of Standardized Options ("OLPP").³ The Commission approved the application of MIAX Emerald to register as a national securities exchange on December 20, 2019.⁴ One of the conditions of the Commission's approval was the requirement for MIAX

¹ 15 U.S.C. 78k-1(a)(3).

² 17 CFR 242.608.

³ On July 6, 2001, the Commission approved the OLPP, which was proposed by the American Stock Exchange LLC ("Amex"), Chicago Board Options Exchange, Incorporated ("CBOE"), International Securities Exchange LLC ("ISE"), Options Clearing Corporation ("OCC"), Philadelphia Stock Exchange, Inc. ("Phlx"), and Pacific Exchange, Inc. ("PCX") (n/k/a NYSE Arca). See Securities Exchange Act Release No. 44521, 66 FR 36809 (July 13, 2001). See also Securities Exchange Act Release Nos. 49199 (February 5, 2004), 69 FR 7030 (February 12, 2004) (adding Boston Stock Exchange, Inc. as a Sponsor to the OLPP); 57546 (March 21, 2008), 73 FR 16393 (March 27, 2008) (adding Nasdaq Stock Market, LLC ("Nasdaq") as a Sponsor to the OLPP); 61528 (February 17, 2010), 75 FR 8415 (February 24, 2010) (adding BATS Exchange, Inc. ("BATS") as a Sponsor to the OLPP); 63162 (October 22, 2010), 75 FR 66401 (October 28, 2010) (adding C2 Options Exchange Incorporated ("C2") as a sponsor to the OLPP); 66952 (May 9, 2012), 77 FR 28641 (May 15, 2012) (adding BOX Options Exchange LLC ("BOX") as a Sponsor to the OLPP); 67327 (June 29, 2012), 77 FR 40125 (July 6, 2012) (adding Nasdaq OMX BX, Inc. ("BX") as a Sponsor to the OLPP); 70765 (October 28, 2013), 78 FR 65739 (November 1, 2013) (adding Topaz Exchange, LLC as a Sponsor to the OLPP ("Topaz")); 70764 (October 28, 2013), 78 FR 65733 (November 1, 2013) (adding Miami International Securities Exchange, LLC ("MIAX") as a Sponsor to the OLPP); 76822 (January 1, 2016), 81 FR 1251 (January 11, 2016) (adding EDGX Exchange, Inc. ("EDGX") as a Sponsor to the OLPP); 77323 (March 8, 2016), 81 FR 13433 (March 14, 2016) (adding ISE Mercury, LLC ("ISE Mercury") as a Sponsor to the OLPP) and 79897 (January 30, 2017), 82 FR 9263 (February 3, 2017) (adding MIAX PEARL, LLC ("MIAX PEARL") as a Sponsor to the OLPP).

⁴ See Securities and Exchange Act Release No. 84891 (December 20, 2018), 83 FR 67421 (December 28, 2018) (File No. 10-233).

Emerald to join the OLPP. The amendment adds MIAX Emerald as a Sponsor⁵ of the OLPP.⁶ The Commission is publishing this notice to solicit comments on the amendment from interested persons.

I. Description and Purpose of the Amendment

The OLPP establishes procedures designed to facilitate the listing and trading of standardized options contracts on the options exchanges. The amendment to the OLPP adds MIAX Emerald as a Sponsor. The other OLPP Sponsors are Amex, BATS, BOX, BX, CBOE, C2, EDGX, ISE, ISE Mercury, MIAX, MIAX PEARL, Nasdaq, NYSE Arca, OCC, Phlx, and Topaz. MIAX Emerald has submitted an executed copy of the OLPP to the Commission in accordance with the procedures set forth in the OLPP regarding new Sponsors. Section 7 of the OLPP provides for the entry of new Sponsors to the OLPP. Specifically, Section 7 of the OLPP provides that an Eligible Exchange⁷ may become a Sponsor of the OLPP by: (i) Executing a copy of the OLPP, as then in effect; (ii) providing each current Sponsor with a copy of such executed OLPP; and (iii) effecting an amendment to the OLPP, as specified in Section 7(ii) of the OLPP.⁸

Section 7(ii) of the OLPP sets forth the process by which an Eligible Exchange may effect an amendment to the OLPP. Specifically, an Eligible Exchange must: (a) execute a copy of the OLPP with the only change being the addition of the new Sponsor's name in Section 8 of the OLPP;⁹ and (b) submit the executed OLPP to the Commission. The OLPP then provides that such an amendment will be effective when the amendment is approved by the Commission or

⁵ A "Sponsor" is an Eligible Exchange whose participation in the OLPP has become effective pursuant to Section 7 of the OLPP.

⁶ See Letter from Barbara J. Comly, EVP, General Counsel and Corporate Secretary, MIAX Emerald, to Brent J. Fields, Secretary, Commission, dated February 12, 2019 ("Amendment").

⁷ The OLPP defines an "Eligible Exchange" as a national securities exchange registered with the Commission pursuant to Section 6(a) of the Act, 15 U.S.C. 78f(a), that (1) has effective rules for the trading of options contracts issued and cleared by the OCC approved in accordance with the provisions of the Act and the rules and regulations thereunder and (2) is a party to the Plan for Reporting Consolidated Options Last Sale Reports and Quotation Information (the "OPRA Plan"). MIAX Emerald has represented that it has met both the requirements for being considered an Eligible Exchange. See Amendment, *supra* note 6.

⁸ MIAX Emerald has represented that it has executed a copy of the current Plan, amended to include MIAX Emerald as a Participant and has sent each current Participant a copy of the executed Plan. See Amendment, *supra* note 6.

⁹ The Commission notes that the list of plan sponsors is set forth in Section 9 of the OLPP.

¹⁹ 17 CFR 200.30-3(a)(12).

otherwise becomes effective pursuant to Section 11A of the Act and Rule 608 thereunder.

II. Effectiveness of the OLPP Amendment

The foregoing OLPP amendment has become effective pursuant to Rule 608(b)(3)(iii)¹⁰ because it has been designated by the sponsors as involving solely technical or ministerial matters. At any time within sixty days of the filing of the amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,¹¹ if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the amendment 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 4-443 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 4-443. 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 plan that are filed with the Commission, and all written communications relating to the plan between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will

be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at MIAX Emerald's principal office. 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 4-443, and should be submitted on or before March 28, 2019.

By the Commission.

Eduardo A. Aleman,
Deputy Secretary.

[FR Doc. 2019-04082 Filed 3-6-19; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-85230; File No. 4-698]

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the Plan Governing the Consolidated Audit Trail To Add MIAX Emerald LLC, as a Participant

March 1, 2019.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 608 thereunder,² notice is hereby given that on February 21, 2019, MIAX Emerald, LLC ("MIAX Emerald" or "Exchange") filed with the Securities and Exchange Commission ("Commission") an amendment to the Plan Governing the Consolidated Audit Trail ("Plan").³ The amendment adds MIAX Emerald as a Participant to the Plan. The Commission is publishing this notice to solicit comments on the amendment from interested persons.

I. Description and Purpose of the Amendment

The amendment to the CAT NMS Plan adds MIAX Emerald as a Participant.⁴ The CAT NMS Plan

¹ 15 U.S.C. 78k-1(a)(3).

² 17 CFR 242.608.

³ The Commission approved the CAT NMS Plan on November 16, 2016. See Securities Exchange Act Release No. 79318, 81 FR 84695 (November 23, 2016).

⁴ See Section 1.1 of the CAT NMS Plan. The term "Participant" is defined in the CAT NMS Plan as any Person that becomes a Participant as permitted by this Agreement, in such Person's capacity as a Participant in the Company (it being understood that the Participants shall comprise the "members"

provides that any Person⁵ approved by the Commission as a national securities exchange or national securities association under the Exchange Act may become a Participant by submitting to the Company a completed application in the form provided by the Company.⁶ As a condition to admission as a Participant, said Person shall: (i) Execute a counterpart of the CAT NMS Plan, at which time Exhibit A shall be amended to reflect the status of said Person as a Participant (including said Person's address for purposes of notices delivered pursuant to the CAT NMS Plan); and (ii) pay a fee to the Company as set forth in the Plan (the "Participation Fee").⁷ The amendment to the Plan reflecting the admission of a new Participant shall be effective only when: (x) It is approved by the Commission in accordance with Rule 608 or otherwise becomes effective pursuant to Rule 608; and (y) the prospective Participant pays the Participation Fee.⁸

MIAX Emerald has executed a copy of the current CAT NMS Plan, amended to include MIAX Emerald in the List of Parties (including the address of MIAX Emerald), paid the applicable Participation Fee and provided each current Plan Participant with a copy of the executed and amended Plan.⁹

II. Effectiveness of the Proposed Linkage Plan Amendment

The foregoing Plan amendment has become effective pursuant to Rule 608(b)(3)(iii)¹⁰ because it has been designed by the sponsors as involving solely technical or ministerial matters. At any time within sixty days of the filing of this amendment, the Commission may summarily abrogate

of the Company (as the term "member" is defined in Section 18-101(11) of the Delaware Act)). The term "Company" is defined in the CAT NMS Plan as the CAT NMS, LLC, which is the company jointly owned by the Participants responsible for creating, operating and maintaining the CAT. See Preamble and Recitals to the CAT NMS Plan.

⁵ See Section 1.1 of the CAT NMS Plan. The term "Person" is defined as means any individual, partnership, limited liability company, corporation, joint venture, trust, business trust, cooperative or association and any heirs, executors, administrators, legal representatives, successors and assigns of such Person where the context so permits.

⁶ See Section 3.3 of the CAT NMS Plan. MIAX Emerald was approved as a national securities exchange on December 13, 2016. See Securities and Exchange Act Release No. 84891, 83 FR 67421 (December 28, 2018)(File No. 10-233).

⁷ See Section 3.3 of the CAT NMS Plan.

⁸ *Id.*

⁹ See Letter from Barbara J. Comly, Executive Vice President, General Counsel, and Corporate Secretary, dated February 19, 2019, to Brent J. Fields, Secretary, Commission.

¹⁰ 17 CFR 242.608(b)(3)(iii).

¹⁰ 17 CFR 242.608(b)(3)(iii).

¹¹ 17 CFR 242.608(b)(1).

the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,¹¹ if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the amendment 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 4-698 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090. All submissions should refer to File Number 4-698. 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 20549-1090, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from

comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number 4-698 and should be submitted on or before March 28, 2019.

By the Commission.
Eduardo A. Aleman,
Deputy Secretary.
 [FR Doc. 2019-04084 Filed 3-6-19; 8:45 am]
BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Securities Exchange Act of 1934; Release No. 85227/March 1, 2019]

Notice of Intent To Cancel Registration of Certain Municipal Advisors Pursuant to Section 15b(C)(3) of the Securities Exchange Act of 1934

Notice is given that the Securities and Exchange Commission (the "Commission") intends to issue an order or orders, pursuant to Section 15B(c)(3) of the Securities Exchange Act of 1934 (the "Act"), cancelling the registrations of municipal advisors whose names appear in the attached Appendix, herein referred to as the "registrants".

Section 15B(c)(3) of the Act provides, in pertinent part, that if the Commission finds that any municipal advisor registered under Section 15B is no longer in existence or has ceased to do business as a municipal advisor, the Commission, by order, shall cancel the registration of such municipal advisor. The Commission finds that each registrant listed in the attached Appendix (i) has not made any municipal advisor form submissions to the Commission through the Commission's Electronic Data Gathering and Retrieval ("EDGAR") system since 1/1/2016, and/or (ii) does not have an associated person, for whom there is a Form MA-I available on EDGAR, who is qualified, under Municipal Securities Rulemaking Board (MSRB) Rule G-3, to lawfully engage in municipal advisory activities. Accordingly, the Commission finds that each of the registrants listed in the attached Appendix is either (i) no longer in existence or (ii) has ceased to do business as a municipal advisor.

Notice is also given that any interested person may, by April 1, 2019, at 5:30 p.m. Eastern Time, submit to the Commission in writing a request for a hearing on the cancellation of the registration of any registrant listed in the attached Appendix, accompanied by a statement as to the nature of such person's interest, the reason for such

person's request, and the issues, if any, of fact or law proposed to be controverted, and the writer may request to be notified if the Commission should order a hearing thereon. Any such communications should be addressed to the SEC's Secretary at the address below.

At any time after April 1, 2019, the Commission may issue an order or orders cancelling the registrations of any or all of the registrants listed in the attached Appendix, upon the basis of the information stated above, unless an order or orders for a hearing on the cancellation shall be issued upon request or upon the Commission's own motion. Persons who requested a hearing, or to be advised as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof. Any registrant whose registration is cancelled under delegated authority may appeal that decision directly to the Commission in accordance with Rules 430 and 431 of the Commission's rules of practice (17 CFR 201.430 and 431).

ADDRESSES: *The Commission:* Secretary, U.S. Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

FOR FURTHER INFORMATION CONTACT: Ahmed Abonamah, Senior Counsel to the Director, at 202-551-5680; U.S. Securities and Exchange Commission, Office of Municipal Securities, 100 F Street NE, Washington, DC 20549.

For the Commission, by the Office of Municipal Securities, pursuant to delegated authority.¹

Eduardo A. Aleman,
Deputy Secretary.

Appendix

SEC ID No.	Full legal name
867-01224	Aureus Partners, Inc.
867-01674	BBC Consulting LLC.
867-01163	Benecke Robert.
867-01889	BRANDYWINE INVESTMENT SECURITIES, LLC.
867-01050	Braun Research Consulting, LLC.
867-01722	DENNING & COMPANY LLC.
867-00750	Evergreen Capital Advisors, Inc.
867-00802	Financial Consulting Solutions Group, Inc.
867-01653	Frontera Consultants RGV, LLC.

¹¹ 17 CFR 242.608(a)(1).

¹ 17 CFR 200.30-3a(a)(1)(ii).

SEC ID No.	Full legal name
867-01695	HARRISON SECURITIES INC/BD.
867-01696	Innovative Utility Solutions of Alabama LLC.
867-01862	KSR Capital Advisors, Inc.
867-01640	LEBENTHAL & CO., LLC.
867-01727	Madrid Napoleon Roy.
867-00144	Mission Management & Consultants LLC.
867-01246	PHOENIX INFRASTRUCTURE ADVISORY GROUP, LLC.
867-00531	PK SECURITIES, INC.
867-01824	PlanScape, Inc.
867-00847	Providence Financial Co., LLC.
867-00680	Public Advisory Corp.
867-00427	Rognan & Associates.
867-00769	Stellate Partners LLC.
867-01005	Stoughton Consulting LLC.
867-01545	Tax Credit Management Inc.
867-00030	Ward Group LLC.

[FR Doc. 2019-04079 Filed 3-6-19; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-85235; File No. SR-CboeBZX-2019-012]

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule Applicable to Members and Non-Members of the Exchange Pursuant to BZX Rules 15.1(a) and (c)

March 1, 2019.

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 February 21, 2019, Cboe BZX Exchange, Inc. (the “Exchange” or “BZX”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The 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

Cboe BZX Exchange, Inc. (the “Exchange” or “BZX”) is filing with the Securities and Exchange Commission a

proposed rule change to amend the fee schedule applicable to Members and non-Members³ of the Exchange pursuant to BZX Rules 15.1(a) and (c). The text of the proposed rule change is attached as Exhibit 5 [sic].

The text of the proposed rule change is also available on the Exchange’s website (http://markets.cboe.com/us/equities/regulation/rule_filings/bzx/), at the Exchange’s Office of the Secretary, 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 proposes to amend the fee schedule applicable to its equities trading platform (“BZX Equities”) to (i) add a second Single MPID Investor Tier and (ii) eliminate the NBBO Setter Tiers.⁴

Single MPID Investor Tier 2

The Exchange currently offers a Single MPID Investor Tier under Footnote 4 of the fee schedule that provides Members with an additional way to qualify for an enhanced rebate for orders yielding fee codes B,⁵ V,⁶ or Y.⁷ The distinction between the Single MPID Investor Tier and other tiers

³ A Member is defined as “any registered broker or dealer that has been admitted to membership in the Exchange.” See Exchange Rule 1.5(n).

⁴ The Exchange initially filed the proposed fee change on February 1, 2019 (SR-CboeBZX-2019-007). On business date February 12, 2019, the Exchange withdrew that filing and submitted SR-CboeBZX-2019-010. On business date February 21, 2019, the Exchange withdrew that filing and submitted this filing.

⁵ Fee code B is appended to displayed orders which add liquidity to Tape B and is provided a rebate of \$0.0025 per share.

⁶ Fee code V is appended to displayed orders which add liquidity to Tape A and is provided a rebate of \$0.0020 per share.

⁷ Fee code Y is appended to displayed orders which add liquidity to Tape C and is provided a rebate of \$0.0020 per share.

offered by the Exchange, [sic] is that the volume measured to determine whether a Member qualifies is performed on a Member Participant Identifier (“MPID”) by MPID basis. The Exchange proposes to adopt a second Single MPID Investor Tier (Tier 2), which will provide Members an opportunity to receive an enhanced rebate of \$0.0036 per share where the Member’s MPID has an ADAV⁸ as a percentage of TCV⁹ greater than or equal to 2.25% on orders yielding fee codes B, V or Y. Members that achieve the proposed Single MPID Investor Tier must therefore increase the amount of liquidity that they provide on BZX, thereby contributing to a deeper and more liquid market.

NBBO Setter Tiers

The Exchange currently offers two NBBO Setter Tiers under Footnote 19 of the fee schedule which provide an additional rebate of \$0.0003 and \$0.0004 per share for orders that establish a new National Best Bid or Offer (“NBBO”) and which are appended with fee code B, V, or Y. The Exchange no longer desires to maintain such tiers and therefore proposes to eliminate NBBO Setter Tier 1 and 2 from the fee schedule.

2. Statutory Basis

The Exchange believes that the proposed rule changes are consistent with the objectives of Section 6 of the Act,¹⁰ in general, and furthers [sic] the objectives of Section 6(b)(4),¹¹ in particular, as it is [sic] designed to provide for the equitable allocation of reasonable dues, fees and other charges among its Members and other persons using its facilities. The Exchange also notes that it operates in a highly-competitive market in which market participants can readily direct order flow to competing venues if they deem fee levels at a particular venue to be excessive or incentives to be insufficient. The proposed rule changes reflect a competitive pricing structure designed to incentivize market participants to direct their order flow to the Exchange.

In particular, the Exchange notes that volume-based rebates such as that proposed herein have been widely adopted by exchanges, including the

⁸ “ADAV” means average daily added volume calculated as the number of shares added per day. ADAV is calculated on a monthly basis.

⁹ “TCV” means total consolidated volume calculated as the volume reported by all exchanges and trade reporting facilities to a consolidated transaction reporting plan for the month for which the fees apply.

¹⁰ 15 U.S.C. 78f.

¹¹ 15 U.S.C. 78f(b)(4).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

Exchange, and are equitable because they are open to all Members on an equal basis and provide additional benefits or discounts that are reasonably related to: (i) The value to an exchange's market quality; (ii) associated higher levels of market activity, such as higher levels of liquidity provision and/or growth patterns; and (iii) introduction of higher volumes of orders into the price and volume discovery processes. The Exchange believes that the proposed Single MPID Investor Tier 2 is a reasonable, fair and equitable, and not unfairly discriminatory allocation of fees and rebates because it will continue to provide Members with an incentive to reach certain thresholds on the Exchange.

More specifically, the Exchange believes the proposed additional Single MPID Investor Tier is a reasonable means to encourage Members to increase their liquidity on the Exchange in order to meet the proposed criteria to receive the proposed higher enhanced rebate. The Exchange further believes that the proposed tier represents an equitable allocation of reasonable dues, fees, and other charges because the threshold necessary to achieve the tier encourages Members to add increased liquidity to the BZX and the Exchange believes the proposed enhanced rebate is commensurate with the proposed threshold. The increased liquidity benefits all investors by deepening the Exchange's liquidity pool, offering additional flexibility for all investors to enjoy cost savings, supporting the quality of price discovery, promoting market transparency and improving investor protection. The Exchange also believes that the proposed rebate is reasonable based on the difficulty of satisfying the tier's proposed criteria as compared to the existing Single MPID Investor Tier, which provides a lower rebate but less stringent criteria. Furthermore, the Exchange believes that the proposed tier is not unfairly discriminatory as it applies to all members that meet the required criteria.

The Exchange believes it's reasonable to eliminate the NBBO Setter Tiers because it is not required to provide additional rebates. Additionally, the Exchange notes that orders yielding fee codes B, V or Y have other opportunities to obtain enhanced rebates, such as via the Add Volume Tiers or the Single MPID Investor Tiers.¹² The Exchange believes it's equitable and not unfairly discriminatory because it applies uniformly to all Members.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe the proposed change to adopt a new Single MPID Investor Tier burdens competition, but rather, enhances competition as it is intended to increase the competitiveness of BZX by adopting an additional pricing incentive in order to attract order flow and incentivize participants to increase their participation on the Exchange. The Exchange notes that it operates in a highly competitive market in which market participants can readily direct order flow to competing venues if they deem fee structures to be unreasonable or excessive. The proposed change to add a new Single MPID Investor Tier is generally intended to add an enhanced rebate for liquidity added to the Exchange, which is intended to draw additional liquidity to the Exchange. The Exchange does not believe the proposed amendment would burden intramarket competition as it would be available to all Members uniformly.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹³ and paragraph (f) of Rule 19b-4¹⁴ thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is 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 will 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-CboeBZX-2019-012 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-CboeBZX-2019-012. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-CboeBZX-2019-012, and should be submitted on or before March 28, 2019.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Eduardo A. Aleman,
Deputy Secretary.

[FR Doc. 2019-04086 Filed 3-6-19; 8:45 am]

BILLING CODE 8011-01-P

¹² See Cboe BZX U.S. Equities Exchange Fee Schedule.

¹³ 15 U.S.C. 78s(b)(3)(A).

¹⁴ 17 CFR 240.19b-4(f).

¹⁵ 17 CFR 200.30-3(a)(12).

SMALL BUSINESS ADMINISTRATION**Data Collection Available for Public Comments**

ACTION: 60-Day notice and request for comments.

SUMMARY: The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) federal agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before May 6, 2019.

ADDRESSES: Send all comments to, John Kelly, Case Management Specialist, Office of the Ombudsman, Small Business Administration, 409 3rd Street SW, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: John Kelly, Case Management Specialist, john.kelly@sba.gov, 202-205-6178, or Curtis B. Rich, Management Analyst, 202-205-7030, curtis.rich@sba.gov.

SUPPLEMENTARY INFORMATION: The Small Business Regulatory Enforcement Fairness Act of 1996, 15 U.S.C. Sec. 657(b)(2)(B), requires the SBA National Ombudsman to establish a means for SBA to receive comments on regulatory and compliance actions from small entities regarding their disagreements with a Federal Agency action. The Ombudsman uses it to obtain the agency's response, encourage a fresh look by the agency at a high level, and build a smaller business-friendly regulatory environment.

Title: "Federal Agency Comment Form".

Description of Respondents: Small business entities.

Form Number: SBA Form 1993.

Annual Responses: 340.

Annual Burden: 340.

Curtis Rich,

Management Analyst.

[FR Doc. 2019-04129 Filed 3-6-19; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION**Data Collection Available for Public Comments**

ACTION: 60 Day notice and request for comments.

SUMMARY: The Small Business Administration (SBA) intends to request approval, from the Office of Management and Budget (OMB) for the collection of information described below. The Paperwork Reduction Act (PRA) agencies to publish a notice in the **Federal Register** concerning each proposed collection of information before submission to OMB, and to allow 60 days for public comment in response to the notice. This notice complies with that requirement.

DATES: Submit comments on or before May 6, 2019.

ADDRESSES: Send all comments to Dena Moglia, Management Program Analyst, Office of Entrepreneurial Development, Small Business Administration, 409 3rd Street NW, Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Dena Moglia, Management Program Analyst, Office of Entrepreneurial Development, 202-205-7034, dena.moglia@sba.gov; Curtis B. Rich, Management Analyst, 202-205-7030, curtis.rich@sba.gov.

SUPPLEMENTARY INFORMATION: The Emerging Leaders Initiative aims to assist established small businesses located in historically challenged communities with increasing their sustainability, attracting outside investment, and strengthening each community's economic base by creating jobs and providing valuable goods and services. These objectives are pursued by offering eligible business executives a 7-month intensive course focused on the skills essential to develop their companies, expand their resource networks, and increase their confidence and motivation. The course is designed to be hands-on and is composed of classroom sessions, out-of-class preparation work, and executive mentoring groups where participants can discuss their challenges. A broad range of topics is covered in the curriculum, including financial measures of business health, strategies for marketing, access to funding, and employee management and recruitment.

SBA plans to conduct annual performance-monitoring activities to assess the short- and intermediate-term outcomes of participants in the Emerging Leaders Initiative. The broad outcomes assessed will include satisfaction, changes in management behavior, and changes in economic outcomes, such as loans obtained and jobs created. Specifically, SBA plans to implement three instruments with the participants in each cohort: An intake assessment form at the start of the program to document baseline conditions, a satisfaction-oriented

feedback form at the end of the program, and an annual outcome-oriented survey for 3 years after program completion. The latter instrument will document changes in key outcomes over a longer period, because job growth, revenue growth, profitability, and other economic outcomes of program participation are expected to manifest in the intermediate and long terms.

Title: "Emerging Leaders Initiatives".

Description of Respondents:

Established small businesses located in historically challenged communities.

Form Number: N/A.

Annual Responses: 4,434.

Annual Burden: 1,340.

Curtis Rich,

Management Analyst.

[FR Doc. 2019-04115 Filed 3-6-19; 8:45 am]

BILLING CODE P

SMALL BUSINESS ADMINISTRATION**Reporting and Recordkeeping Requirements Under OMB Review**

AGENCY: Small Business Administration.

ACTION: 30-Day notice.

SUMMARY: The Small Business Administration (SBA) is publishing this notice to comply with requirements of the Paperwork Reduction Act (PRA) requires agencies to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission. This notice also allows an additional 30 days for public comments.

DATES: Submit comments on or before April 8, 2019.

ADDRESSES: Comments should refer to the information collection by name and/or OMB Control Number and should be sent to: *Agency Clearance Officer*, Curtis Rich, Small Business Administration, 409 3rd Street SW, 5th Floor, Washington, DC 20416; and *SBA Desk Officer*, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Curtis Rich, Agency Clearance Officer, (202) 205-7030, curtis.rich@sba.gov.

Copies: A copy of the Form OMB 83-1, supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

SUPPLEMENTARY INFORMATION: The Small Business Act, as amended by the Small Business Innovation Research (SBIR)

and Small Business Technology Transfer Program (STTR) Reauthorization Act of 2011, requires SBA to collect regarding the SBIR and STTR awards made by the federal agencies that participate in those programs. SBA is required to maintain this information in searchable electronic databases and also to report the information to Congress annually.

Title: SBA to collect regarding the SBIR and STTR awards and Small Business Transfer (STTR) Tech-Net Database.

Description of Respondents: SBA to collect regarding the SBIR and STTR awards.

Form Number: N/A.

Estimated Annual Responses: 8,149.

Estimated Annual Hour Burden: 4,217.

Curtis B. Rich,

Management Analyst.

[FR Doc. 2019-04122 Filed 3-6-19; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Public Notice: 10695]

Office of the Chief of Protocol; Gifts to Federal Employees From Foreign Government Sources Reported To Employing Agencies in Calendar Year 2017

The Office of the Chief of Protocol, Department of State, submits the following comprehensive listing of the statements which, as required by law, federal employees filed with their employing agencies during calendar year 2017 concerning gifts received from foreign government sources. The compilation includes reports of both tangible gifts and gifts of travel or travel expenses of more than minimal value, as defined by the statute. Also included are gifts received in previous years including one gift in 2011, four gifts in 2012, two gifts in 2013, two gifts in 2014, seven gifts in 2015, and one gift

with an unknown date. These latter gifts are being reported in this year's report as the Office of the Chief of Protocol, Department of State, did not receive the relevant information to include them in earlier reports. Any agency not listed in this report either did not receive any gifts during the calendar year or did not respond to the Office of the Chief of Protocol's call for data.

Publication of this listing in the **Federal Register** is required by Section 7342(f) of Title 5, United States Code, as added by Section 515(a)(1) of the Foreign Relations Authorization Act, Fiscal Year 1978 (Pub. L. 95-105, August 17, 1977, 91 Stat. 865).

Dated: Feb 26 2019.

William E. Todd,

Deputy Under Secretary for Management, U.S. Department of State.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT
 [Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Donald J. Trump, President of the United States.	Statue, carved Ohio sandstone, in 2 pieces, depicting standing male lion wearing crown, over cross and orb, rectangular base. Rec'd 2/13/17. Est. Value—\$450.00. Disposition—Transferred to National Archives Records Administration (NARA).	The Right Honorable Justin Trudeau, P.C., M.P., Prime Minister of Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	A black Kuna Guanaco luxury scarf that measures 72 inches long by 12 inches wide. Rec'd 2/24/17. Est. Value—\$650.00. Disposition—Transferred to NARA.	His Excellency Pedro Pablo Kuczynski Godard, President of the Republic of Peru.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Paper panel displaying 5 columns of black calligraphy, mounted within machined white silk border, in wood frame, 35 inches long x 71 inches wide, in carrying/presentation box clad in yellow silk, jar with lid ("zun"), comprised of 3 sections of gilt bronze cloisonné plus clear glass medial section displaying hand-painted scene of lakeside pavilion, 28"h x 11-1/2"d, accompanied by 2-tier round wood stand with silver wire inlay 3-7/8"h, in leather-clad presentation box. Flaring top section includes gilt dragon head handles with drop rings. Flaring bottom section includes top band with applied jade cabochons. Rec'd 4/7/17. Est. Value—\$14,400.00. Disposition—Transferred to NARA.	His Excellency Xi Jinping, President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Print, limited edition, printed on paper embossed "Tintin/Herge/since 1929", cartoon depicting cowboy eating out of a frying pan with dog eating bone, while Indians approach from behind, in oak frame. Rec'd 4/24/17. Est. Value—\$470.00. Disposition—Transferred to NARA.	His Excellency Charles Michel, Prime Minister of Belgium.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Sculpture, bronze, by William & Son of London, of 3 standing Oryx, including 2 adults and one infant in between, oval base marked along front right edge "DYER 2009", 8"h x 11-1/2"w x 5"d, tagged as "Crown Prince Court/Emirate of Abu Dhabi/Oryx Sculpture—Limited Edition 179/200", in presentation box. Rec'd 5/15/17. Est. Value—\$3,700.00. Disposition—Transferred to NARA.	His Royal Highness Sheikh Mohamed bin Zayed Al Nayhan Crown Prince of Abu Dhabi and Deputy Supreme Commander of the United Arab Emirates Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Donald J. Trump, President of the United States.	Pendant necklace, consisting of 14-point white/green enameled star, ("750" denoting 18K gold), dangling beneath gold-plated palm tree and crossed sabers, joined to 21 linked panels of gold-plated openwork displaying panels of crossed sabers on foliate arabesques, alternating with panels of foliate arabesques further decorated with four emeralds or rubies each, in green leatherette presentation box. Rec'd 5/21/17. Est. Value—\$6,400.00. Disposition—Transferred to NARA.	Salman bin Abd al-Aziz Al Saud, Custodian of the Two Holy Mosques, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Set of 6 gold-plated silver Kuwaiti coins, encased in plastic, in presentation box, coin, Kuwaiti, gold, commemorating humanitarian work by Amir, his portrait over "2014" in front, UN symbol in back, in plastic case, in glossy black presentation box with piercecut Kuwaiti emblem/roundel on hinged lid. Rec'd 5/21/17. Est. Value—\$1,610.00. Disposition—Transferred to NARA.	His Highness Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, Amir of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Photograph of Saudi King wearing gold/silver thread robe, signed, dated 2017 in sterling silver (stamped "925") frame by Del Conte of Florence, having convex front band plus beaded inner band against gold-enrod-color leatherette backing, in Del Conte brocade bag in presentation box. Rec'd 5/21/17. Est. Value—\$1,380.00. Disposition—Transferred to NARA.	Kingdom of Saudi Arabia ..	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Framed assemblage of 12 gold-tone items in miniature relating to Saudi Arabia surrounding sepia tone photo of Trump, in wood frame ornamented with repousse brass work, in presentation box/carrying case. Rec'd 5/21/17. Est. Value—\$790.00. Disposition—Transferred to NARA.	Mr. Azzeldin Aliyan, Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Carrying case of polished striped wood with medial brown reptile skin on hinged lid, two 3-digit combination locks, opening to disclose 3 gold-tone melon-shape bottles with crown-shape twist caps, marked "ALTAJ—Royal Perfume Oman", in presentation box. Rec'd 5/21/17. Est. Value—\$1,260.00. Disposition—Pending transfer to NARA.	Sayyid Fahad bin Mahmoud Al-Said, Deputy Prime Minister for Cabinet Affairs of the Sultanate of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Model oil well surface cap valve system of pressure gauge over 7 wheel valves, silver-tone metal, tagged "Burgan Field Discover Well BG-I-IM/Kuwait Oil Company Ltd." in plastic display case on wood stand with wood cover, marked "With Compliments of Amir of The State of Kuwait". Rec'd 5/21/17. Est. Value—\$470.00. Disposition—Transferred to NARA.	His Royal Highness Sheikh Mohamed Bin Zayed Al Nayhan Crown Prince of Abu Dhabi and Deputy Supreme Commander of the UAE Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Book, hardcover, <i>Psalms</i> , in English and Hebrew, "heirloom edition" created by The Jerusalem Art Bindery, published by The Western Wall Heritage Foundation, marbled end pages including signed card from Shmuel Rabinowitz and Mordechai Eliav, front cover stamped to Donald Trump, in tooled leather sleeve adhered to leather-clad tiered stand. Rec'd 5/22/17. Est. Value—\$4,500.00. Disposition—Transferred to NARA.	Rabbi Shmuel Rabinowitz of Western Wall and Holy Sites.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Tray, sterling grade silver (stamped "925" under rim), oblong, flat polished tab ends flanking bark-texture concave portion, engraved with bird over 4 flags over script "Juan Manuel Santos/Presidente de Colombia 2014–2018", in presentation box clad in raw linen with embroidered gold-tone presidential seal. Rec'd 5/23/17. Est. Value—\$775.00. Disposition—Transferred to NARA.	His Excellency Juan Manuel Santos Calderón, President of the Republic of Colombia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Donald J. Trump, President of the United States.	Portrait of President Trump, smiling, wearing red necktie, done on mother-of-pearl panels, in frame also of mother-of-pearl tagged from President Mahmoud Abbas of Palestine, the frame band of white floral/ foliate designs applied over purple/green shell, in presentation box. Rec'd 5/23/17. Est. Value—\$920.00. Disposition—Transferred to NARA.	His Excellency Mahmoud Abbas, President of the Palestinian Authority.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Glass art, plate glass rectangle incised to create a brown menorah with continuous bulbous parts, mounted on rectangular plate glass base. Accompanying documentation cites inspiration from a 6th century bronze menorah found among the remains of Ein Gedi synagogue. Rec'd 5/23/17. Est. Value—\$650.00. Disposition—Transferred to NARA.	Mr. Ayelet Shiloh Tamir, Acting Director of the Israel Museum.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Plaque, American flag, in natural color stone, 16"h x 24"w, and the stars incised in the blue field and painted white. Rec'd 5/24/17. Est. Value—\$425.00. Disposition—Transferred to NARA.	Mr. Salvatore Amore	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Engraving, black ink, titled "Misericordiae vultvs", dated 2016, designed by Pierluigi Isola, print plate prepared and print made on hand-pulled press by Patrizio Di Sciuolo, depicting people in foreground, rows of buildings, limited edition #45/200, issued by the Vatican Library; accompanied by booklet and limited edition certificate. Rec'd 5/25/17. Est. Value—\$650.00. Disposition—Transferred to NARA.	His Eminence Cardinal Pietro Parolin, Secretary of State of the Holy See.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Portrait of President Trump smiling, holding up left hand, against U.S. Flag, approximately 23"h x 30"w, made of stone granules, called "gemstone painting", in frame. Rec'd 5/31/17. Est. Value—\$1,880.00. Disposition—Transferred to NARA.	His Excellency Nguyen Xuan Phuc, Prime Minister of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Plaque, metal rectangle, 22"h and 41"w, U.S. flag, with "V" shape and triangular areas ornamented with copper-head bullets. Rec'd 6/20/17. Est. Value—\$450.00. Disposition—Transferred to NARA.	His Excellency Petro Poroshenko, President of Ukraine.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Sword, replica of sword of Stephen the Great, polished steel blade secured in molded brass hilt/handle including female forms on curved sections, 39" l, in presentation box. Rec'd 6/20/17. Est. Value—\$470.00. Disposition—Transferred to NARA.	His Excellency Klaus Werner Iohannis, President of Romania.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Basket, by Osvaldo Benvenuti of Florence, sterling silver, rectangular, trough-style center/bottom without curving pierce cut walls of grape clusters on foliated serpentine vines, on 4 flaring feet, in black velveteen-lined presentation box. Rec'd 6/23/17. Est. Value—\$740.00. Disposition—Transferred to NARA.	His Excellency Sergio Mattarella, President of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Chest, displaying marquetry panels on hinged lid plus all 4 sides of foliate cartouches in white in sheesham wood (Indian rosewood), supported on knob feet, interior tray with hand grip cutouts of similar cartouche. Rec'd 6/25/17. Est. Value—\$685.00. Disposition—Transferred to NARA.	His Excellency Narendra Modi, Prime Minister of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Set of 3 lidded black lacquer boxes plus rectangular tray, the lids with mother-of-pearl inlay 4-petal rosettes/circles, reportedly made by Lee Euisik, and designated "Jeollabuk-do Provincial Intangible Cultural Heritage No. 13", in presentation box. Rec'd 6/29/17. Est. Value—\$580.00. Disposition—Transferred to NARA.	His Excellency Moon Jae-in, President of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Album, burgundy leatherette, marked in gold-tone "President of the Republic of Poland/Andrzej Duda", containing 10 photographs by Czeslaw Czaplinski, grouped under titled page "President Donald J. Trump in New York", including 1985 black/white photos of Trump plus polychrome photos of Trump Tower, title page with thank you note to Trump signed by Polish president. Rec'd 7/6/17. Est. Value—\$850.00. Disposition—Transferred to NARA.	His Excellency Mr. Andrzej Duda, President of the Republic of Poland.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Donald J. Trump, President of the United States.	Mont Blanc augmented paper and screen writer pen. Rec'd 7/11/17. Est. Value—\$1,765.00. Disposition—Transferred to NARA.	Her Excellency Angela Merkel, Chancellor of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Mont Blanc special edition Meisterstuck Elbphilharmonie 149 fountain pen. Rec'd 7/11/17. Est. Value—\$935.00. Disposition—Transferred to NARA.	Her Excellency Angela Merkel, Chancellor of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Map of the United States and the course of the Mississippi River, by Brion de la Tour, 1783, with hand-colored outlines, matted and framed. Rec'd 7/13/17. Est. Value—\$1,100.00. Disposition—Transferred to NARA.	His Excellency Emmanuel Macron, President of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Painting on canvas, depicting wide black calligraphic-like brush strokes against white, in wood frame painted white. Rec'd 7/27/17. Est. Value—\$1,800.00. Disposition—Transferred to NARA.	Salman bin Abd al-Aziz Al Saud, Custodian of the Two Holy Mosques, King of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Bronze sculpture of a manatee rising head first, approx. 7–1/4" long, mounted on dark stone disk, by William & Son, tagged as "Dugong Sculpture—limited edition 27/200—Crown Prince Court—Emirate of Abu Dhabi", 2-door presentation case. Rec'd 7/31/17. Est. Value—\$1,250.00. Disposition—Transferred to NARA.	His Royal Highness Mohamed bin Zayed Al Nahyan, Crown Prince of Abu Dhabi and Deputy Supreme Commander of the United Arab Emirates Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Textile, Malaysian, approx. 36" x 58", in 7 colors including metallic threads, depicting rosettes and palmettes on curvilinear vines, framed. Rec'd 9/12/17. Est. Value—\$550.00. Disposition—Transferred to NARA.	His Excellency Dato' Sri Haji Mohammad Najib bin Tun Haji Abdul Razak, Prime Minister of Malaysia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Table lamp, plus tray base plus 4-legged stand, walnut, the polygonal lamp of pentagons and hexagons, each having centered 5-petal or 6-petal rosette, 18"w; the tray 16" square of bars in openwork design. Rec'd 9/27/17. Est. Value—\$540.00. Disposition—Transferred to NARA.	His Excellency Dr. Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Chess set plus box with playing board on top and drawer, probably made of "palo santo" (an odiferous wood) and ash, by Zenon Paez of Paraguay. The hand-carved playing pieces of people/building/ship represent the Paraguayan forces (light wood) versus the Triplice (dark wood) who fought 1864–1870 in the war of the triple alliance. Rec'd 10/18/17. Est. Value—\$1,800.00. Disposition—Transferred to NARA.	His Excellency Horacio Cartes, President of the Republic of Paraguay.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Print, marked bottom right "Fong Gi Wei", entitled "Sunset at Marina Bay Sands", depicting imaginary buildings along water's edge, including 3 tall building topped by a surfboard-shape structure with plantings, framed. Rec'd 10/23/17. Est. Value—\$900.00. Disposition—Transferred to NARA.	His Excellency Lee Hsien Loong, Prime Minister of the Republic of Singapore.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Jet fighter model in sterling silver with gold-plating, 17"l x 12"w, having 2 underhung missiles and 4 rockets, mounted on "C"-curve stand tagged as made by "DMc" and assayed in London with "S" date mark, presented by the Crown Prince of Bahrain, in navy blue leatherette-clad presentation box. Rec'd 11/2/17. Est. Value—\$4,850.00. Disposition—Transferred to NARA.	His Royal Highness Prince Salman bin Hamad bin Isa al Khalifa, Deputy King, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States.	Silk embroidery, hand done, depicting head of a white-headed eagle with yellow beak facing right plus tops of wings against black, approx. 18–1/2"h x 27–1/2"w, in double mats and frame, in presentation box. Rec'd 11/8/17. Est. Value—\$880.00. Disposition—Pending transfer to NARA.	His Excellency Xi Jinping, President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Donald J. Trump, President of the United States.	Painting, acrylic on wood panel, depicting triangles of crosshatching in tan, red, green, black, white, signed/dated bottom left "Jane Arietta Ebarle 2017", in black inner frame and matte gold-tone outer frame, titled on back "Hibla Ng T'boli 2", reportedly inspired by artwork of the T'boli tribe of South Cotabato on a tobacco container made of bamboo, in black silk-clad presentation box. Rec'd 11/14/17. Est. Value—\$470.00. Disposition—Pending transfer to NARA.	His Excellency Rodrigo Roa Duterte, President of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States & Mrs. Melania Trump, First Lady of the United States.	Footed bowl, clear cut crystal, by Cristal na Rinne, by master craftsman Eamonn Terry, having 8-lobed scalloped rim, over fan cuts alternating with shamrock clusters, one portion with frosted glass ovoid in presentation box. Rec'd 3/15/17. Est. Value—\$3,100.00. Disposition—Transferred to NARA.	His Excellency Taoiseach Enda Kenny of Ireland and Mrs. Kenny.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States & Mrs. Melania Trump, First Lady of the United States.	Pendant and chain: Yellow gold pendant cross, back marked "II IO 2005", arms in blue enamel with borders of diamonds surrounding centered ring of diamonds, in turn surrounding centered champagne-color diamond, on pendant slide stamped "14K", overall 14.7 grams; accompanied by yellowing old spiral twist neck chain, stamped "585" (denoting 14K) on lappet end, 11.8 grams, in presentation box. Rec'd 5/23/17. Est. Value—\$2,900.00. Disposition—Transferred to NARA.	Church of the Holy Sepulchre, Jerusalem.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States & Mrs. Melania Trump, First Lady of the United States.	Cross necklace with large cross pendant with diamond and royal blue gems and are hung on a gold chain. Necklace enclosed in cream box with gold symbols and "2005". Rec'd 5/23/17. Est. Value—\$2,900.00. Disposition—Transferred to NARA.	Church of the Holy Sepulchre, Jerusalem.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States & Mrs. Melania Trump, First Lady of the United States.	Icon, modern copy of neo-Byzantine icon, painted on wood panel, portraying the nativity with angels but without the three wise men, in gilt silver repousse frame having dark green and cream coloring, approx. 25"h x 20"w; in olive wood presentation box, portrait of Mrs. Trump, half-length, arms crossed, looking straight at viewer, photograph printed on mother-of-pearl panels bordered by inverted "V" form band including white mother-of-pearl cut-outs applied over green/pink panels, within large border band, approx. 31"h x 23"w, in presentation box. Rec'd 5/23/17. Est. Value—\$6,7700.00. Disposition—Transferred to NARA.	His Excellency Mahmoud Abbas, President of the Palestinian Authority.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States & Mrs. Melania Trump, First Lady of the United States.	Nativity scene done in whitish and green/purplish mother-of-pearl panels, the nativity figures appearing beneath a pediment with shooting star in ovoid flanked by scrollwork carving, over a triple arcaded platform, over 2 curving staircases, bottom middle panel stating this as gift from Patriarch of Jerusalem, dated 2017, approx. 24-1/2"h x 24-1/2"w x 8"d; in presentation box. Rec'd 6/2/17. Est. Value—\$4,200.00. Disposition—Transferred to NARA.	Theophilus III, the Greek Orthodox Patriarch of Jerusalem.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Donald J. Trump, President of the United States & Mrs. Melania Trump, First Lady of the United States.	Books, set of 10 hardcover, published by The Palace Museum, dealing with aspects of the museum's collections, assembled in camphor box with sliding lid incised "The Palace Museum's Essential Collections", painting of white and pink lotus flowers amid green leaves plus dragon fly at top, matted and framed, in machined silk-clad presentation box. Rec'd 11/8/17. Est. Value—\$970.00. Disposition—Pending transfer to NARA.	Mr. Shan Jixiang, Palace Museum Director, Beijing, China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Earrings, pair, by Mikimoto, in yellow gold stamped as 18K, incorporating ten round faceted diamonds, plus under hanging 7.5mm pearl with silver-tone nacre, no visible blemishes, post-mounted, in presentation box. Rec'd 2/11/17. Est. Value—\$2,200.00. Disposition—Transferred to NARA.	Mrs. Akie Abe, Spouse of the Prime Minister of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mrs. Melania Trump, First Lady of the United States.	Necklace from designer Michal Negrin. Rec'd 2/16/17. Est. Value—\$900.00. Disposition—Transferred to NARA.	Mrs. Sara Netanyahu, Spouse of the Prime Minister of the State of Israel.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Dinnerware set, porcelain, approximately 85 pieces, featuring printed polychrome floral design, some of the liquid serving pieces labeled in both Chinese and English, 2 round plates displaying hand-applied slipware-enhanced printed image of the pink house of Mar-a-Lago, accompanied by 2 hinged wood display racks, also 2 glass holders, in 2 transport cases, the lids marked "The People's Republic of China". Box lid interiors marked "Honav National Banquet Tableware Set". Rec'd 4/7/17. Est. Value—\$16,250.00. Disposition—Pending transfer to NARA.	His Excellency Xi Jinping and Madam Peng Liyuan, President and First Lady of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Gold bangle with pearl on the end, in brown box from designer Jan Logan. Rec'd 5/4/17. Est. Value—\$650.00. Disposition—Transferred to NARA.	The Honorable Malcolm Turnbull, Prime Minister of Australia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Black Chopard Classic Racing Rollerball in case. Rec'd 5/21/17. Est. Value—\$610.00. Disposition—Transferred to NARA.	Kingdom of Saudi Arabia ..	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Jewelry set: Pendant on chain stamped "373" (indicating 9K gold), plus pair of earrings, each displaying round 9mm pearl secured in yellow gold pod stamped "9K" and "COD", with underhanging green glass bead, in presentation box. Rec'd 5/22/17. Est. Value—\$420.00. Disposition—Transferred to NARA.	Mrs. Sara Netanyahu, Spouse of the Prime Minister of Israel.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Abaya, Saudi, by House of Sama, size S, beige synthetic fabric forming a near square shape with small arm holes at top, front and back displaying medial panel of silver-tone/gray/dark gold-tone foliate arabesques in metallic thread, flanked by side top panels of floral sprigs in same, over side bottom panels of rosettes plus flowers on leafy vines in pink/white silk embroidery in wood presentation box, the lid with inset engraved copper plate of floral geometrics over "House of Sama". Rec'd 5/22/17. Est. Value—\$810.00. Disposition—Transferred to NARA.	Kingdom of Saudi Arabia ..	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Rock fragment approx. 1-3/4" x 1" x 1/2", tied by red string covered by red wax seal displaying 5 crosses surrounded by "Jerusalem.Sig.Adm.Sanct.T.S.", in presentation box clad in mother-of-pearl and abalone segments, the hinged lid with pierce cut square of 5 crosses. Rock is reportedly from the Church of the Holy Sepulchre. Rec'd 5/23/17. Est. Value—\$700.00. Disposition—Transferred to NARA.	Church of the Holy Sepulchre, Jerusalem.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Handbag of Belgian Designer 'Delvaux'—limited edition. Approximately 4.5 inches tall and 3.5 inches long. Black in color with the words "ceci n' est pas un Delvaux" written in white on front of bag. Rec'd 5/24/17. Est. Value—\$1,020.29. Disposition—Transferred to NARA.	Ms. Amélie Derbaudrenghien, Partner of Prime Minister, Kingdom of Belgium.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Handbag of Belgian Designer 'Delvaux'. Green and measures 10 inches by 2.25 inches, and is approximately 5 inches tall. Rec'd 5/24/17. Est. Value—\$2,273.00. Disposition—Transferred to NARA.	His Excellency Charles Michel, Prime Minister of the Kingdom of Belgium.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

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Mrs. Melania Trump, First Lady of the United States.	Green velvet purse by Sikuly, Sicilian purse company. Has many green tassels that come off of the purse with gold and silver bead trim. Red, yellow and green fabric underline the trim. There are two green velvet handles and the front handle had two gold buttons plus green, yellow, and gold beads. The middle of the purse has a large yellow circle with a blue image in the middle that is a painting of a man in armor. The yellow button has green poms and green and yellow sparkles. Rec'd 5/24/17. Est. Value—\$607.00. Disposition—Transferred to NARA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Box, rectangular, lacquered silver foil sides plus left third of hinged lid, lacquered gold-tone foil in middle of lid, dark gold-tone foil on right side of lid, in presentation box clad in red silk. Rec'd 5/25/17. Est. Value—\$420.00. Disposition—Transferred to NARA.	His Excellency Miro Cerar, Prime Minister of Slovenia and his partner Ms. Mojca Stropnik.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Handbag, by Ferragamo of Italy, red Pamplona calf leather, accordion style with flap cover and tongue fitting into front slot bordered by brass-tone "U", gold-tone chain-link shoulder strap, in Ferragamo linen sack, in Ferragamo presentation box, in Ferragamo shopping bag. Note: Apparently designed specifically for the G7 2017 Summit meeting of 26–27 May 2017 in Taormina, Italy. Rec'd 5/26/17. Est. Value—\$3,400.00. Disposition—Transferred to NARA.	His Excellence Paolo Gentiloni, Prime Minister of the Italian Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Mont Blanc 149 fountain pen, Mont Blanc augmented paper and screen writer pen. Rec'd 7/11/17. Est. Value—\$2,564.00. Disposition—Transferred to NARA.	Her Excellency Angela Merkel, Chancellor of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Clutch, silver-plated brass displaying rosettes and leaf forms, including "C" curve hinged handle with niello design, hinged latch, 4 knob feet, in presentation box. Rec'd 10/3/17. Est. Value—\$460.00. Disposition—Transferred to NARA.	His Excellency Prayut Chan-o-cha, Prime Minister of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Two textiles, in Songket style of West Sumatra, Indonesia, displaying silver-tone silk designs against red silk: body wrap, having wide diamond-pattern band on one edge only, shawl ["selendang"] or table runner, having lace ends with 6-petal embroidered rosettes, also center panel of pink rosettes and silver-tone leaves together in presentation box. Rec'd 10/3/17. Est. Value—\$465.00. Disposition—Transferred to NARA.	Mrs. Mufidah Jusuf Kalla, Spouse of the Vice President of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Lotus flower in high relief and flat outline plus bud, leaf, and "C" curves, all in gold-tone against black, in shadow box frame in presentation box. Rec'd 11/5/17. Est. Value—\$425.00. Disposition—Transferred to NARA.	Mrs. Nguyen Thi Hien, Spouse of the President of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Serving tray, rectangular, convex mahogany walls with rim simulating bamboo, 15" x 24", likely brass bottom depicting a bird known as "sarimanok", having triple-lobe crest, dappled chest, symbolizing good fortune; in brown silk-clad presentation box. Rec'd 11/6/17. Est. Value—\$440.00. Disposition—Transferred to NARA.	Mrs. Cielito Avanceña, Spouse of the President of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Painting, by David Stanley Hewett, Kanazawa gold and acrylic on canvas, titled on the back "Majime", signed and dated 2017, in the style of an earlier painting by Hewett titled "Bushido Legacy", depicting gold-leaf squares with black specks traversed by one black band. Rec'd 11/6/17. Est. Value—\$3,000.00. Disposition—Transferred to NARA.	Mrs. Akie Abe, Spouse of the Prime Minister of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

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Mrs. Melania Trump, First Lady of the United States.	Hanbok [traditional Korean garment], by Lee Young Hee, long sleeve, blue gauze with gray-banded pleats, embroidered silk sea plant forms in blues/white/black on sleeve ends, lower front panels, and skirt. Long-sleeve top = "jeogori". Two ties = "goreum". High skirt = "chima". Rec'd 11/7/17. Est. Value—\$1,040.00. Disposition—Transferred to NARA.	Na Kyung-Won, the Republic of Korea National Assembly.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Melania Trump, First Lady of the United States.	Silk embroidered scene of 3 panda cubs near and on rockwork under bamboo, also 5 red leaves on ground, approx. 31" h x 19" w, matted and framed. Rec'd 11/8/17. Est. Value—\$400.00. Disposition—Transferred to NARA.	Madam Peng Liyuan, First Lady of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
First Family Children	Box, cloisonné, round, lidded, displaying bands of pink/light blue flowers on green or black serpentine leafy vines against medium blue background, knob on lid, medium blue enamel interior. Rec'd 4/7/17. Est. Value—\$490.00. Disposition—Transferred to NARA.	Madam Peng Liyuan, First Lady of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
First Family Grandchildren ..	Yellow gold, with butterfly pendant made of carved mother of pearl. Rec'd 2/1/17. Est. Value—\$2,650.00. Disposition—Transferred to NARA.	His Majesty King Abdullah II bin Al-Hussein and Queen Rania Al-Abdullah of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
First Family Grandchildren ..	Cigar box/humidor, light color woods plus edge bands with black diagonal stripe segments, 7-point silver-tone star keyhole escutcheon, hinged lid with centered 18-point star and side bands in mother-of-pearl, in box. Rec'd 4/11/17. Est. Value—\$540.00. Disposition—Transferred to NARA.	His Majesty King Abdullah II bin Al-Hussein of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Bespoke tiered dessert plate, fine porcelain made up of 6 plates, hand painted with classical Islamic motifs. Rec'd 2/1/17. Est. Value—\$625.00. Disposition—Transferred to NARA.	His Majesty Abdullah II bin Al-Hussein and Queen Rania Al-Abdullah of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Handbag, tagged "Bao Bao Issey Miyake", style #BB71—AG501—41, black vinyl mesh rectangle covered in beige triangles forming squares, zippered top, one inside pocket, black metal shoulder chain, in paper scratch protector bag. Rec'd 2/10/17. Est. Value—\$495.00. Disposition—Transferred to NARA.	Mrs. Akie Abe, Spouse of the Prime Minister of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Bracelet, cuff style, comprised of polished silver bird wings having 3 sections of different designs outlined and separated by gold bands, the medial portion fronted by a scarab beetle of matte finish silver and gold, in presentation box. Note standing stork stamp mark in brass near beetle head. Note silver stamp marks on bottom back of 2 dots over double curve [denoting Cairo] over "925" [denoting sterling grade silver] plus "G" clef. Rec'd 4/3/17. Est. Value—\$630.00. Disposition—Transferred to NARA.	His Excellency Abdel Fattah Al Sisi, President of the Arab Republic of Egypt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Jewelry set in gold plated sterling silver (stamped "925") consisting of brooch plus earrings for pierced ears featuring yellow enameled flower plus real pearls and blue enameled leaves/ribbons, plus dangling white ovoid in gold-plated mount. Rec'd 4/7/17. Est. Value—\$750.00. Disposition—Pending transfer to GSA.	Madam Peng Liyuan, First Lady of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

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Ms. Ivanka Trump, Advisor to the President.	Jewelry Box: Box of silver-tone metal (likely brass) displaying silver filigree rosettes on lid and outside walls, the removable lid with centered rosette of real pearl surrounded by gold-tone petals with faux diamonds, in turn surrounded by blue enamel lappets, the rim edge band of mother-of-pearl peonies and foliated scrolls against navy blue, the rim outside edge ornamented with real pearls (4 larger, 20 smaller), the exterior walls displaying black and blue enameled wave motif. Rec'd 4/7/17. Est. Value—\$1,200.00. Disposition—Transferred to NARA.	Madam Peng Liyuan, First Lady of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Handbag of Belgian designer Delvaux—limited edition. Blue with a cloud design. The clip has a blue hat. Rec'd 4/24/17. Est. Value—\$1,023.50. Disposition—Transferred to NARA.	Ms. Amélie Derbaudrenghien, Partner of Prime Minister, Kingdom of Belgium.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Garments: 3 white gauze-like "mardon" with sleeves covering hands, "bisht" with open front, orange flowers heads, yellow/pink leaves in silk on navy blue wool with Dormeuil navy blue lining, "bisht" with open front, orange/yellow/green tinted foliage on brown, "elegance international" brown lining; in presentation box. Rec'd 7/18/17. Est. Value—\$700.00. Disposition—Transferred to NARA.	His Royal Highness, Mohammed bin Salman bin Abdulaziz Al Saud Deputy Crown Prince of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Pen, brand "Caran d'Ache Geneve", silver-plated, rhodium-coated Varius Iwanhoe black ballpoint pen. Rec'd 7/18/17. Est. Value—\$700.00. Disposition—Transferred to NARA.	Swiss Federal Councilor ...	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Fountain pen, by Pilot, black lacquer ["urushi"] with hand painted matte gold-tone 6-petal rosettes and green leaves, 14K gold nib, in wood presentation box. Rec'd 11/6/17. Est. Value—\$1,180.00. Disposition—Transferred to NARA.	His Excellency Taro Kono, Minister of Foreign Affairs of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Jewelry set of pair earrings, brooch, and pendant, all in gold-plated sterling silver (each piece stamped "S925" on back), each featuring a centered reddish bead or roundel of beads against a rosette form of 3 tiers of filigree work, together in presentation box. Rec'd 11/8/17. Est. Value—\$600.00. Disposition—Transferred to NARA.	Madam Peng Liyuan, First Lady of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Ivanka Trump, Advisor to the President.	Golf club, putter, by Maruman, black handgrip with white hexagonal outlines plus red curves marked "WinnPro 1.32," head engraved with U.S. flag to left of "K Sugi/KS-162PW" over "forged and CNC milling/Made in Japan/Manuman/Ivanka Marie Trump," accompanied by black vinyl and black fleece-lined sock embroidered in silver-tone "K Sugi/forged and CNC milling," in presentation box. Rec'd 11/13/17. Est. Value—\$530.00. Disposition—Transferred to NARA.	Ms. Satsuki Katayama, House of Councillors of Japan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jared Kushner, Assistant to the President and Senior Advisor to the President.	Book, <i>The Jews of Singapore</i> Author: Joan Bieder. Rec'd 5/3/17. Est. Value—\$575.00. Disposition—Pending transfer to GSA.	His Excellency Vivian Balakrishnan, Minister for Foreign Affairs of the Republic of Singapore.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jared Kushner, Assistant to the President and Senior Advisor to the President.	Silver Chopard Pen. Rec'd 5/24/17. Est. Value—\$750.00. Disposition—Pending transfer to GSA.	Kingdom of Saudi Arabia ..	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jared Kushner, Assistant to the President and Senior Advisor to the President.	Fountain pen, named "the Petra Pen", by Aurora, having 18K rose (cuprous) gold nib, finger grip section, plus portions of cap showing part of the façade of Petra, marked "Petra Aurora" on collar, in presentation box. Rec'd 6/26/17. Est. Value—\$3,630.00. Disposition—Transferred to NARA.	His Excellency Abdullah II bin Al-Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE WHITE HOUSE—EXECUTIVE OFFICE OF THE PRESIDENT—Continued

[Report of Tangible Gifts Furnished by the White House—Executive Office of the President]

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Mr. Jared Kushner, Assistant to the President and Senior Advisor to the President.	Assemblage of Saudi garments: 5 black double coil headbands "igals," 5 round white caps with machined embroidery "tagiya,s" 2 head covers of red embroidery on white, head cover in pashmina-type wool, ecru head cover with brown/copper-tone/champagne-color silk embroidered botchs and bands, white cotton brocade head cover, in dark green leatherette carrying case. Rec'd 7/21/17. Est. Value—\$600.00. Disposition—Transferred to NARA.	His Royal Highness, Mohammad bin Salman bin Abdulaziz Al Saud Deputy Crown Prince of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jared Kushner, Assistant to the President and Senior Advisor to the President.	Three robes, Saudi "bishts," open front, displaying wide gold-tone band around opening near top: ecru, black, cinnamon in wide dark green leatherette carrying case. Rec'd 7/27/17. Est. Value—\$520.00. Disposition—Transferred to NARA.	His Royal Highness, Mohammad bin Salman bin Abdulaziz Al Saud Crown Prince of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jared Kushner, Assistant to the President and Senior Advisor to the President.	Macallan Rare cask black whiskey. Rec'd 11/28/17. Est. Value—\$450.00. Disposition—Pending transfer to GSA.	His Majesty Abdullah II bin Al-Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable H.R. McMaster, Lieutenant General, United States Army, Assistant to the President for National Security Affairs.	Rollerball pen, Mont Blanc Meisterstuck, glossy black shaft, cuprous-tone rings, in presentation box. Rec'd 3/8/17. Est. Value—\$400.00. Disposition—Pending transfer to GSA.	Mr. Mithal Al-Alusi, Member of Parliament, Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable H.R. McMaster, Lieutenant General, United States Army, Assistant to the President for National Security Affairs.	Rug, Pakistani, silk pile, handwoven, center medallion style displaying centered 12-petal rosette within white cartouche plus 4 palmettes within navy blue cartouche filled with assorted flowers, on medium blue field with floral sprays continuing into navy blue spandrels, surrounded by 6 border bands of which the fourth predominates in floral swags tied by ribbons plus baskets of flowers against navy blue, also a band of rosettes at each end, 22 x 24 = 528 knots per square inch, 35-1/2" x 59" pile area, excluding fringe. Rec'd 4/4/17. Est. Value—\$3,200.00. Disposition—APNSA's Office for Official Use.	His Excellency Aizaz Ahmad Chaudhry, Ambassador of the Islamic Republic of Pakistan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable H.R. McMaster, Lieutenant General, United States Army, Assistant to the President for National Security Affairs.	Cufflinks, 18K yellow gold, depicting archer drawing arrow standing in horse-drawn chariot; 14.2 gram/pair, in presentation box. Rec'd 4/4/17. Est. Value—\$780.00. Disposition—Pending transfer to GSA.	His Excellency Abdel Fattah Al Sisi President of the Arab Republic of Egypt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Avrahm Berkowitz, Deputy Assistant to the President and Advisor to the Senior Advisor.	Assemblage of Saudi garments: 5 black double coil headbands ["igals"] 5 round white caps with machined embroidery ["tagiyas"]; 2 head covers of red embroidery on white; head cover in cashmere wool; ecru cashmere head cover with brown silk embroidered botchs and bands; white cotton brocade head cover; white cotton "voile" head cover marked as made in Switzerland for M. Siraj Attar & Brothers; in dark green leatherette carrying case. Rec'd 7/21/17. Est. Value—\$640.00. Disposition—Pending transfer to GSA.	His Royal Highness, Mohammad bin Salman bin Abdulaziz Al Saud Crown Prince of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Avrahm Berkowitz, Deputy Assistant to the President and Advisor to the Senior Advisor.	Robes, Saudi "bishts," three, open front, displaying wide gold-tone band around opening near top: ecru, black, cinnamon in wide dark green leatherette carrying case. Rec'd 7/27/17. Est. Value—\$520.00. Disposition—Pending transfer to GSA.	His Royal Highness, Mohammad bin Salman bin Abdulaziz Al Saud Crown Prince of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE EXECUTIVE OFFICE OF THE VICE PRESIDENT
[Report of Tangible Gifts Furnished by the Executive Office of the Vice President]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Michael R. Pence, Vice President of the United States.	Artwork, cast silver-tone metal miniature imagine of church, in black shadowbox frame in presentation box. Rec'd 2/18/17 Est. Value—\$440.00. Disposition—Transferred to NARA.	His Excellency Petro Poroshenko, President of Ukraine.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Rug, Afghani, wool pile, hand woven. Rec'd 2/18/17 Est. Value—\$3,200.00. Disposition—Transferred to NARA.	His Excellency Dr. Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Gavox Legacy Navy "Logical Stars" (Ref 358.5) Wristwatch, by Gavox of Belgium in a presentation box. Rec'd 2/19/2017 Est. Value—\$392.00. Disposition—OVP Gift Office.	His Excellency Charles Michel, Prime Minister of Belgium.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Korean lidded jar, gray pottery, in wood presentation box. Rec'd 4/17/17. Est. Value—\$540.00. Disposition—Transferred to NARA.	His Excellency Sye-Kyun Chang, Speaker of the National Assembly, Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Jewelry set including a pearl necklace and pearl earrings together in presentation box. Rec'd 4/20/17. Est. Value—\$425.00. Disposition—OVP Gift Office.	His Excellency Joko Widodo & Mrs. Iriana Joko Widodo, President & First Lady of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Jewelry set including a white gold and pearl brooch and white gold and pearl earrings in wooden presentation box. Rec'd 4/20/17. Est. Value—\$760.00. Disposition—OVP Gift Office.	His Excellency Joko Widodo & Mrs. Iriana Joko Widodo, President & First Lady of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Porcelain statue depicting standing young female hand holding up bowl of flowers, in presentation box. Rec'd 4/20/17. Est. Value—\$485.00. Disposition—OVP Gift Office.	His Excellency Joko Widodo & Mrs. Iriana Joko Widodo, President & First Lady of the Republic of Indonesia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Box of two Montenegrin coins in clear plastic cases. Rec'd 6/5/17. Est. Value—\$470.00. Disposition—OVP Gift Office.	The Honorable Duško Marković, Prime Minister of Montenegro.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Sculpture, by Zesus Zelaya, cast bronze, depicting barefoot female sitting with left leg curved under her, holding baby in right arm and bunch of flower in left, in wood presentation box. Rec'd 6/15/17. Est. Value—\$430.00. Disposition—OVP Gift Office.	His Excellency Juan Orlando Hernandez, President of the Republic of Honduras.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Silver oil lamp and bowl set. Rec'd 6/26/17. Est. Value—\$1,900.00. Disposition—OVP Gift Office.	His Excellency Narendra Modi, Prime Minister of Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Painting depicting fortress atop an orange/green mound, smaller flat-top buildings in foreground, mounted in a wooden frame, in presentation box. Rec'd 6/29/17. Est. Value—\$470.00. Disposition—Transferred to NARA.	His Majesty King Abdullah II ibn Al Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pence, Vice President of the United States.	Framed pastel, depicting groups of trees amid patches of snow, plus blue/green mountains in background. Rec'd 8/2/17. Est. Value—\$1,480.00. Disposition—OVP Gift Office.	His Excellency Filip Vujanović, President of Montenegro.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Karen Pence, Second Lady of the United States.	Clutch, sterling silver in presentation box. Rec'd 5/16/17. Est. Value—\$400.00. Disposition—OVP Gift Office.	Mrs. Emine Erdoğan, First Lady of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Karen Pence, Second Lady of the United States.	Yellow gold cross pendant in presentation box. Rec'd 7/31/17. Est. Value—\$970.00. Disposition—OVP Gift Office.	Mrs. Maia Kvirikashvili, Spouse of Prime Minister of Georgia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF STATE
[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Gold plated horse on a green resin base. Rec'd 2/2/17. Est. Value—\$785.00. Disposition—On Official Display at DOS.	His Excellency Adel al-Jubeir, Minister of Foreign Affairs of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Gold-plated model ship. Rec'd 2/14/17. Est. Value—\$490.00. Disposition—On Official Display at DOS.	His Excellency Sheikh Mohammed bin Abdulrahman Al Thani, Minister of Foreign Affairs of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Gold-plated statue featuring two camels. Rec'd 2/22/17. Est. Value—\$1,800.00. Disposition—On Official Display at DOS.	His Excellency Adel al-Jubeir, Minister of Foreign Affairs of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Silver Eagle Statue. Rec'd 3/13/17. Est. Value—\$3,100.00. Disposition—On Official Display at DOS.	His Excellency Adel al-Jubeir, Minister of Foreign Affairs of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Book, <i>Image in Stone Tunisia in Mosaic</i> . Rec'd 3/13/17. Est. Value—\$450.00. Disposition—Transferred to GSA.	His Excellency Khemaies Jhinaoui, Minister of Foreign Affairs of the Republic of Tunisia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Book about Sheikh Zayed Grand Mosque and large pink, blue, and olive green carpet. Rec'd 3/14/17. Est. Value—\$5,360.00. Disposition—On Official Display at DOS.	His Highness Sheikh Abdullah bin Zayed Al Nanyan, Minister of Foreign Affairs of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Green glass vase with lid. Rec'd 3/30/17. Est. Value—\$450.00. Disposition—On Official Display at DOS.	His Excellency Mevlüt Cavuşoğlu, Minister of Foreign Affairs of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Porcelain vase with black and red floral motif on a wooden stand. Rec'd 4/7/17. Est. Value—\$400.00. Disposition—Pending transfer to GSA.	His Excellency Xi Jinping, President of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Large ceramic vase with floral pattern in presentation box. Rec'd 4/20/17. Est. Value—\$470.00. Disposition—On Official Display at DOS.	His Excellency Pham Binh Minh, Prime Minister of the Socialist Republic of Vietnam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Sterling silver bowl with floral repousse design. Rec'd 5/4/17. Est. Value—\$430.00. Disposition—On Official Display at DOS.	His Excellency Prak Sokhonn, Senior Minister and Minister of Foreign Affairs and International Cooperation of the Kingdom of Cambodia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Gold-plated model ship. Rec'd 5/9/17. Est. Value—\$420.00. Disposition—On Official Display at DOS.	His Excellency Sheikh Mohammed bin Abdulrahman bin Jassim Al Thani Minister of Foreign Affairs of the State of Qatar.	The Honorable Rex W. Tillerson, Secretary of State of the United States
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Book, <i>Deutschland um 1900</i> , Marshall Plan framed print, bottle of German Whisky, two Meissen crystal floral glasses. Rec'd 5/17/17. Est. Value—\$682.00. Disposition—On Official Display at DOS.	His Excellency Sigmar Gabriel, Minister of Foreign Affairs of the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Bronze figurine "La Florista" in wooden box. Rec'd 6/15/17. Est. Value—\$760.00. Disposition—On Official Display at DOS.	His Excellency Juan Orlando Hernandez, President of the Republic of Honduras.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	White and blue porcelain vase with wooden stand in presentation box. Rec'd 6/21/17. Est. Value—\$440.00. Disposition—On Official Display at DOS.	His Excellency Yang Jiechi, State Councilor of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Hand-made marble box inlaid with semi-precious stone featuring flowers on lid. Rec'd 6/25/17. Est. Value—\$500.00. Disposition—On Official Display at DOS.	His Excellency Narendra Modi, Prime Minister of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF STATE—Continued
[Report of Tangible Gifts Furnished by the Department of State]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Turkish coffee service set, Turkish delight, and black leather briefcase. Rec'd 7/10/17. Est. Value—\$490.00. Disposition—Transferred to GSA.	His Excellency Berat Albayrak, Minister of Energy and Natural Resources of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Pewter teapot, sugar, and milk set with pewter and wood tray in presentation box. Rec'd 8/23/17. Est. Value—460.00. Disposition—Transferred to GSA.	His Excellency Dato' Seri Dr. Ahmad Zahid Hamidi, Deputy Prime Minister and Minister of Home Affairs of Malaysia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Large purple, gold, and green carpet. Rec'd 9/27/17. Est. Value—\$2,600.00. Disposition—Transferred to GSA.	His Excellency Shavkat Miromonovich Mirziyayev, Prime Minister of the Republic of Uzbekistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Large wooden chest with brass detailing, black and gold. Rec'd 10/6/17. Est. Value—\$750.00. Disposition—Transferred to GSA.	His Excellency Sheikh Sabah Khaled al-Sabah, First Deputy Prime Minister and Minister of Foreign Affairs of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Rex W. Tillerson, Secretary of State of the United States.	Framed painting titled "White Poppies". Rec'd 12/15/17. Est. Value—\$600.00. Disposition—On Official Display at DOS.	His Excellency Elin Suleymanov, Ambassador of the Republic of Azerbaijan to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John Sullivan, Deputy Secretary of State.	Framed embroidery of eagle descending in flight. Rec'd 10/4/17. Est. Value—\$600.00. Disposition—Transferred to GSA.	His Excellency Guo Shengkun, State Councilor of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lisa J. Peterson, Ambassador of the United States to Swaziland.	Matching ring and earring set, "Her Golden Secret" perfume by Antonio Banderas, "Sapphire" perfume by Al-Battash Luxury. Rec'd 6/21/17. Est. Value—\$1,714.00. Disposition—Transferred to GSA.	His Excellency Yousef bin Mohammed Al-Mahmoud, Ambassador of the State of Qatar to the United States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Thomas A. Shannon, Under Secretary for Political Affairs.	Hand-made Persian rug. Rec'd 1/31/17. Est. Value—\$950.00. Disposition—Purchased from GSA by recipient.	His Excellency Salahuddin Rabbani, Minister of Foreign Affairs of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Patrick Murphy, Deputy Assistant Secretary.	Male tais (cloth) with silver metal chest plate, silver metal head piece, feather head piece, coral necklace, silver metal bracelet, female tais (skirt), with silver metal head piece, silver metal bracelet, coral necklace, and small silver chest ornament. Rec'd 5/20/17. Est. Value—\$2,415.00. Disposition—Transferred to GSA.	His Excellency Dr. Francisco Gueterres Lu Olo, President of the Democratic Republic of Timor-Leste.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mrs. Micheline Tusenius, Spouse of Ambassador Allen.	Ferragamo purse. Rec'd 10/10/17. Est. Value—\$2,500.00. Disposition—Transferred to GSA.	His Majesty Sultan Haji Hassanal Bolkiah, Sultan of Brunei Darussalam.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Timothy Ponce, Consular Section Chief.	Decorative Kuwaiti sword. Rec'd 6/7/17. Est. Value—\$440.00. Disposition—Transferred to GSA.	Mr. Ibdah Al Dossari, Deputy Director for Consular Affairs for the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Anya Brunson, Economic Officer.	Vyshyvanka dress. Rec'd 11/24/17. Est. Value—\$1,470.00. Disposition—Transferred to GSA.	Yurity Vitrenko, Chief Commercial Officer of Naftogaz.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Penny Price, Protocol Officer.	Large afghan wool rug. Rec'd 10/5/17. Est. Value—\$6,600.00. Disposition—Transferred to GSA.	Afghan Protocol	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Lika Johnston, Protocol Officer.	Rolex Watch. Rec'd 7/24/17. Est. Value—\$4,790.00. Disposition—Transferred to GSA.	Mr. Joseph Joureih, Protocol Director of the Qatar United Nations Mission.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS
 [Report of Gifts of Travel Furnished by the Administrative Office of the United States Courts]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Peter J. Messitte, Senior District Judge, United States District Court for the District of Maryland.	TRAVEL: Airfare, and three nights of lodging. Rec'd 12/12/17. Est. Value—\$734.00.	Federal Regional Tribunal Center for Judicial Studies, Council of Federal Justice of the Federative Republic of Brazil.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jeremy D. Fogel, Director of the Federal Judicial Center.	TRAVEL: Train ticket, lodging, and rental car in Vienna, Austria. Rec'd 8/28/17–8/29/17. Est. Value—\$1,000.00.	United Nations Office on Drugs and Crime.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jeffrey P. Minear, Counselor to the Chief Justice, Supreme Court of the United States.	TRAVEL: Airfare, and three nights of lodging. Rec'd 10/28/17–11/13/17. Est. Value—\$1,162.31.	Judiciary of the Republic of Namibia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Spouse of Staff Attorney Megan Scanlon, United States Court of Appeals for the Fourth Circuit.	TRAVEL: Ground transportation, lodging, and meals. Rec'd 11/7/17–11/9/17. Est. Value—\$432.53.	Queen's University, Kingston, Ontario, Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
 [Report of Tangible Gifts Furnished by the Federal Reserve System]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Janet Yellen, (Former) Chair of the Board of Governors of the Federal Reserve System.	Amber colored pendant necklace with amber colored beading, measures approximately 18 inches. Rec'd 4/3/17. Est. Value—\$400.00. Disposition—In possession of Board's Management Division, pending.	His Excellency Mr. Mateusz Morawiecki, Deputy Prime Minister of the Republic of Poland.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY
 [Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Michael R. Pompeo, Director of the CIA.	Six bottles of Amouge cologne. Rec'd 3/7/2017 Est. Value—\$500.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pompeo, Director of the CIA.	White, gold, and mint vase. Rec'd 2/9/2017. Est. Value—\$500.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Michael R. Pompeo, Director of the CIA.	18k gold box. Rec'd 6/13/2017. Est. Value—\$20,000.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Gina C. Haspel, Deputy Director of the CIA.	Knife in wooden box. Rec'd 11/15/2017. Est. Value—\$500.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Santa Barbara Flintlock pistol-caliber 61. Rec'd 11/15/2017. Est. Value—\$500.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Leather briefcase. Rec'd 6/1/2017. Est. Value—\$582.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Hubolt watch. Rec'd 2/6/2017. Est. Value—\$1,000.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: CENTRAL INTELLIGENCE AGENCY—Continued
[Report of Tangible Gifts Furnished by the Central Intelligence Agency]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
An Agency Employee	Silk rug. Rec'd 10/5/2017. Est. Value—\$400.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	His/Hers Movado watches. Rec'd 10/10/2017. Est. Value—\$1,200.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Charriol woman's silver watch. Rec'd 5/12/2017. Est. Value—\$716.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Omega Swiss Seamaster watch. Rec'd 1/29/2013. Est. Value—\$2,000.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Breitling Colt Swiss watch. Rec'd 8/5/2015. Est. Value—\$1,500.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	International watch company Portofino watch. Rec'd 5/23/2017. Est. Value—\$3,000.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Longines Men and Women's watch. Rec'd 6/20/2017. Est. Value—\$3,000.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Breitling wrist watch. Rec'd 3/19/2017. Est. Value—\$1,500.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Breitling wrist aerospace limited edition watch. Rec'd 3/19/2017. Est. Value—\$1,000.00 Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Brietling Colt Swiss watch. Rec'd 3/19/2017. Est. Value—\$1,500.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	Earrings/bracelet jewelry sets, candlesticks, artwork, cufflinks. Rec'd 6/1/2017. Est. Value—\$605.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
An Agency Employee	26 year old whisky. Rec'd 8/1/2017. Est. Value—\$575.00. Disposition—Pending transfer to GSA.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF ARMY
[Report of Tangible Gifts Furnished by the Department of Army]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Brigadier General Lee Henry, Commander, Resolute Support Train, Advise, Assist Command—South Kandahar Airfield, Afghanistan.	Afghan rug. Rec'd 1/2/17. Est. Value—\$1,286.00. Disposition—Transferred to GSA.	Brigadier General Gulalai, 205th Corps Garrison Commander, Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Votel, Commander, US Army Central Command.	Apple iPhone 7. Rec'd 1/17/17. Est. Value—\$649.00. Disposition—Bldg. 1458, Room 2SE 4708, Awaiting GSA Turn-in 14 Feb 18.	Major General Hamad Bin Ali, Qatar Chief of Staff Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF ARMY—Continued

[Report of Tangible Gifts Furnished by the Department of Army]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
General Joseph Votel, Commander, US Army Central Command.	Baron Philippe Men's Watch. Rec'd 1/17/17. Est. Value—\$750.00. Disposition—Bldg. 1458, Room 2SE 4708, Awaiting GSA Turn-in 14 Feb 18.	Major General Hamad Bin-Ali, Qatar Chief of Staff Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant Colonel Stephen Douglas, Commander, Combined Task Force Rakk Solid, 3rd Brigade Combat Team, 101st Airborne Division.	Afghan rug. Rec'd 3/11/17. Est. Value—\$799.33. Disposition—Purchased by recipient.	Brigadier General Gulalai, 205th Corps Garrison Commander, Afghan National Army.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Votel, Commander, US Army Central Command.	18K gold cartouche (Michelle). Rec'd 3/17/17. Est. Value—\$550.00. Disposition—Bldg. 1458, Room 2SE 4708, Awaiting GSA Turn-in 14 Feb 18.	Mrs. Hegazi, Spouse of General Mahmoud Hegazy, Chief of Staff of the Egyptian Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Mark A. Miley, Chief of Staff of the Army, U.S. Forces Command.	TAG Heuer Men's WAZ211A.BA0875 Formula 1 Analog Display Swiss automatic silver watch. Rec'd 3/31/17. Est. Value—\$1,239.00. Disposition—Transferred to GSA.	Major General Saleh Mohammed Saleh Al-Ameri, United Arab Emirates Land Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Brigadier General John B. Richardson, IV, Deputy Commander, Combined Joint Forces Land Component Command.	Watch, men Tissot T-Touch Expert. Rec'd 4/29/17. Est. Value—\$703.00. Disposition—Transferred to GSA.	President Masoud Barzani of Kurdistan Regional Government, Iraq.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General William B. Hickman, Deputy Commanding General, U.S. Army Central Command.	Johann Strauss Edition Montblanc pen and ink set. Rec'd 5/22/17. Est. Value—\$816.50. Disposition—Bldg. 1458, Room 2SE 4708, Awaiting GSA Turn-in 14 Feb 18.	Major General Khalid, Saleh Al-Sabah, Kuwait Land Forces, Commander.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General William B. Hickman, Deputy Commanding General, U.S. Army Central Command.	800 Series Movado men's watch, stainless steel. Rec'd 5/24/17. Est. Value—\$1,195.00. Disposition—Bldg. 1458, Room 2SE 4708, Awaiting GSA Turn-in 14 Feb 18.	Major General Saeed, Mabkhoot Louteya Al Ameri, United Arab Emirates Land Forces, Commander.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General William B. Hickman, Deputy Commanding General, U.S. Army Central Command.	Knife/bayonet set. Rec'd 5/24/17. Est. Value—\$518.99. Disposition—Bldg. 1458, Room 2SE 4708, Awaiting GSA Turn-in 14 Feb 18.	Major General Saeed, Mabkhoot Louteya Al Ameri, United Arab Emirates Land Forces, Commander.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF DEFENSE

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Ashton B. Carter, Secretary of Defense.	Rug, Afghan, wool, hand woven. Rec'd 12/9/16. Est. Value—\$3,200.00. Disposition—Item on Display—Pentagon 3E1010.	His Excellency Dr. Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Spouse of Ashton B. Carter, Secretary of Defense.	Table linen set, white cotton linen with champagne-color and silver tone abstract of rosettes. Table cloth with 12 napkins. Rec'd 12/19/16. Est. Value—\$385.00. Disposition—OSD Locker, Pentagon 3B954A.	His Excellency Dr. Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan and Spouse.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Round porcelain plate in presentation box and coffee pot by Cauba in black leather-clad presentation box. Rec'd 4/13/17. Est. Value—\$680.00. Disposition—Plate in WHS Gift Locker, MF739A and Coffee pot in OSD Locker, 3B954A.	His Excellency Fikri Işık, Minister of National Defense of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Sword with Medusa head hilt in presentation case. Rec'd 4/20/17. Est. Value—\$440.00. Disposition—OSD Locker, Pentagon 3B954A.	His Excellency Panos Kammenos, Minister of National Defense of the Hellenic Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF DEFENSE—Continued
[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable James Mattis, Secretary of Defense.	Saber, accompanied by scabbard clad in reptile skin plus gilt mounts and gilt tassels, in white fabric bag and statue, depicting silver clad resin falcon with gilt beak, legs wrapped in bands. Rec'd 4/22/17. Est. Value—\$7,600.00. Disposition—OSD Vault.	Major General (Ret) Hamad Bin Ali Al-Attiyah, Advisor of the Amir for Defense Affairs State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Presentation item, black plastic forms including a quarter-round fronted by gold-tone panel stating "Presented with Appreciation by Gen. Sedky Sobhy . . ." fronting rectangle with gold-tone/silver-tone military emblem over "Egyptian Armed Forces", both set into 2-tiered base and sword, handle displaying Chinese-style cartouches of serpents/flowers, handgrip in fish scale motif, in presentation case. Rec'd 4/24/17. Est. Value—\$1,075.00. Disposition—WHS Gift Locker.	General Sedky Sobhy, Commander and Chief of the Armed Forces of the Arab Republic of Egypt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Saffron, Spanish, 96 boxes of 2 grams each, "Azafran Guerrero Munoz." Rec'd 4/24/17. Est. Value—\$1,344.00. Disposition—OSD Vault.	Lieutenant Fahad Abdulrahman Al-Thani, Aide to the Minister of Defense, State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Round brass bowl clad in lapis lazuli panels and saffron, approximately .2 kilograms/200 grams. Rec'd 4/24/17. Est. Value—\$2,185.00. Disposition—OSD Vault.	His Excellency Dr. Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Artwork, consisting of white Corian slab, displaying geometric forms of lines, stepped squares, brackets, bars in brass, some incised forms filled with brass tube segments, in custom-designed presentation box. Rec'd 5/16/17. Est. Value—\$1,650.00. Disposition—OSD Vault.	His Royal Highness Mohamed bin Zayed Al Nahyan, Crown Prince of Abu Dhabi and Deputy Supreme Commander of the United Arab Emirates Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Painting, acrylic on canvas, depicting 8 people walking closely together, of which 3 wearing hats and 5 carrying baskets of fruit, against white background, framed. Rec'd 5/17/17. Est. Value—\$950.00. Disposition—WHS Gift Locker.	His Excellency Joao Lourenco, Minister of National Defense of the Republic of Angola.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	White marble box decorated with lapis lazuli flowers in presentation box. Rec'd 6/26/17. Est. Value—\$1,000.00. Disposition—OSD Vault.	His Excellency Narendra Modi, Prime Minister of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Wristwatch and assault rifle, "FORT-224" made by Ukrainian Science-Industrial entity called "FORT", black with left side marked "00PT 224" beneath serial number 44803807, right side with applied gold-tone anchor/wings, clip inside marked "5.45 x 39/44803807", alligator handgrip, black nylon strap; accompanied by honey comb sight marked "MEPRO21M Reflex" in black cover, in black nylon case, embroidered "MEPROUGHT", second sight marked "MX3, marked "M-FOR", 3 curved bullet clips of which 2 fully loaded, in khaki color nylon case, tan nylon carrying bag. Rec'd 8/23/17. Est. Value—\$3,780.00. Disposition—OSD Value.	His Excellency Petro Poroshenko, President of Ukraine.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Bottle of "Tequila Reserva de la Familia Extra Anejo 100% de Agave Jose Cuervo Hecho en Mexico", bottled 17-VIII-17, 750 ml, in wood presentation box, a plaque, pressboard rectangle fronted by gold-tone plastic Mexican emblem beneath 2 crescents, short sword, labeled as "ceremonial sword of the Mexican Army's Military Academy", medallion, gilt bronze roundel, "fiestas Patrias/Estados Unidos Mexicanos", and wooden chess set. Rec'd 9/15/17. Est. Value—\$825.00. Disposition—OSD Vault.	Division General Salvador Cienfuegos Zepeda, Secretary of National Defense of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Rug, Afghani, wool pile, hand woven. Rec'd 9/26/17. Est. Value—\$2,200.00. Disposition—OSD Vault.	His Excellency Dr. Mohammad Ashraf Ghani, President of the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF DEFENSE—Continued
[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable James Mattis, Secretary of Defense.	Print copy of an original site plan of the 1779 Siege of Savannah, Georgia, in double mat and molded frame and tray, silver-tone, rectangular with chamfered comers incised "La Ministre des Armees de la Republique Francaise", in presentation box. Rec'd 10/20/17. Est. Value—\$440.00. Disposition—OSD Vault.	Her Excellency Florence Parly, Minister of the Armed Forces of the French Republic.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Peacock in silver filigree surrounding oval green cabochon, attached to filigree ovoid secured to base clad in navy blue velvet-like fabric covered by clear plastic base, in presentation box. Rec'd 10/25/17. Est. Value—\$430.00. Disposition—OSD Vault.	Her Excellency Nirmala Sitharaman, Minister of Defense of the Republic of India.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Sword, 38" long, polished steel blade marked to Secretary Mattis from Song Youngmoo dated "27 October 2017", black lacquer handle with silver string inlay, tied with purple tassel, accompanied by scabbard clad in shagreen (Stingray skin) plus black lacquer with gilt metal mounts, tied with 2 conjoined tassels, together in presentation/carrying case and set of 3 arrows. Rec'd 10/27/17. Est. Value—\$2,190.00. Disposition—OSD Vault.	His Excellency Song Young-Moo, Ministry of National Defense of the Republic of Korea.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Pistol, replica flint lock having walnut stock, metal parts blackened and ornamented with brass floral inlay, 15"1, in walnut presentation box and printed photographic page titled "Khevsurians" Appeal to the US President, which Reached its Recipient only 70 Years Later" with photographic image of 2 handwritten sheets, frame. Rec'd 11/13/17. Est. Value—\$510.00. Disposition—OSD Vault.	His Excellency Levan Izoria, Minister of Defense of Georgia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable James Mattis, Secretary of Defense.	Chariot and horses made of clear cut crystal plus gold-tone metal, archer holding up bow and arrow aimed over 2 rearing horses, glued to rectangular mirrored base, in presentation box and plaque, stating "Egyptian Armed Forces". Rec'd 12/2/17. Est. Value—\$470.00. Disposition—OSD Vault.	General Sedky Sobhy, Commander and Chief of the Armed Forces of the Arab Republic of Egypt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Robert O. Work, Deputy Secretary of Defense.	Lalique dish with lid. Rec'd 6/18/17. Est. Value—\$585.00. Disposition—WHS Gift Locker.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Dunford, Jr., Chairman of the Joint Chiefs of Staff.	Figurine, silver-plated falcon with gold-washed beak perched on hand glove. Rec'd 11/9/2016. Est. Value—\$495.00. Disposition—Item on Display—Joint Chiefs of Staff Office, Pentagon 2E873.	General Abdul-Rahman bin Saleh bin Abdullah al-Banyan, Chief of the General Staff, Saudi Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Dunford, Jr., Chairman of the Joint Chiefs of Staff.	Hand-woven silk pile rug, glass round plate depicting centered shield emblem in red/blue/green dated 1918, and tea set accompanied by silver spoon in plastic presentation box. Rec'd 2/16/17. Est. Value—\$920.00. Disposition—Joint Chiefs of Staff Gift Locker, Pentagon 2E873.	Colonel General Zakir Hasanov, Minister of Defense of the Republic of Azerbaijan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Dunford, Jr., Chairman of the Joint Chiefs of Staff.	Set of 16 round medallions, brass-tone, each displaying a bust picture of a male military person, together in presentation box and picture, depicting St. Basil's Church plus portion of the Kremlin wall in Moscow, framed, in black vinyl presentation box. Rec'd 2/16/17. Est. Value—\$400.00. Disposition—Item on Display, Pentagon 2E878.	General Valery Gerasimov, Chief of the General Staff of the Armed Forces of the Russian Federation and First Deputy Minister of Defense of the Russian Federation.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Dunford, Jr., Chairman of the Joint Chiefs of Staff.	Two photographs in silver frames. Rec'd 3/8/17. Est. Value \$430.00. Disposition—Item on Display, Pentagon 2E878.	General Hulusi Akar, Chief of Defense of Turkish General Staff of the Republic of Turkey.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Dunford, Jr., Chairman of the Joint Chiefs of Staff.	Box, by Boisseliers du Rif of Lebanon, square, mixed woods, lid displaying Lebanese flag, first tier partitioned into 5 compartments, bottom of one compartment. Rec'd 3/9/17. Est. Value—\$480.00. Disposition—Item on Display, Pentagon 2E878.	His Majesty Abdullah II Bin al-Hussein, King of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
General Joseph Dunford, Jr., Chairman of the Joint Chiefs of Staff.	A plaque, a graphite portrait drawing of General Dunford in uniform, and graphite portrait drawing of Mrs. Dunford, wearing circular earrings, necklace, facing viewer, smiling. Rec'd 8/14/17. Est. Value—\$605.00. Disposition—Joint Chiefs of Staff Gift Locker.	General Sun-Jin Lee, Chief of Defense of the Republic of Korea (Retired).	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Joseph Dunford, Jr., Chairman of the Joint Chiefs of Staff.	Picture, ink and color, depicting sections of the Great Wall of China spanning 3 ranges of hills/mountains, including waterfall, bordered in white silk brocade, framed, a photograph of picture in a double matted and framed, plaque, wood colored reddish, shield shape with incorporated foot, fronted by plastic red star over plastic gold-tone laurel branches over brass tag, vase, porcelain, baluster shape, and tea set, porcelain, displaying scrolling vines with pink water lilies plus smaller blue ones against yellow background, 11 pieces. Rec'd 8/15/17. Est. Value—\$1,005.00. Disposition—Unknown.	General Fang Fenghui, Chief of the Joint Staff Department of the Central Military Commission of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Spouse of General Joseph Dunford, Chairman of Joint Chiefs of Staff.	Statue of tree of life with flowers, birds, and human forms. Rec'd 3/29/17. Est. Value—\$440.00. Disposition—Joint Chiefs of Staff Gift Locker.	Mrs. Georgina Ventura de Soberon, Spouse of the Secretary of the Navy of the United Mexican States.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Ellen Lord, Under Secretary of Defense, AT&L.	Bottles of incense, UAE, presented in glossy wood box with UAE emblem. Rec'd 11/15/17. Est. Value—\$430.00. Disposition—WHS Gift Locker.	United Arab Emirates	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Burke Wilson, Acting Deputy Assistant Secretary of Defense.	Wristwatch by Concord. Rec'd 10/3/17. Est. Value—\$2,000.00. Disposition—WHS Gift Locker.	Major General Riyadh, the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General Paul Selva, Vice Chairman of the Joint Chiefs of Staff.	Silver plate and plaque, clear plastic shield form, back etched "Egypt" in ribbon form over roundel with bird. Rec'd unknown. Est. Value—\$480.00. Disposition—Joint Chiefs of Staff Gift Locker.	Major General Farag Mohamed El Shahat, Director, Military Intelligence and Reconnaissance, Ministry of Defense of the Arab Republic of Egypt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Chief Sergeant Major John W. Troxell, Senior Enlisted Advisor to the Chairman Joint Chief of Staff.	Hand carved ceremonial axe (handled adze "toki") with stand, made of New Zealand jade blade. Rec'd 11/17/16. Est. Value—\$390.00. Disposition—on display—Joint Chiefs of Staff Office, Pentagon 2E873.	Warrant Officer Class One Daniel Broughton, Warrant Officer of the Defense Force, New Zealand (CHOD CSEL).	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF DEFENSE—Continued
[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Chief Sergeant Major John W. Troxell, Senior Enlisted Advisor to the Chairman of the Joint Chief of Staff.	Three coffee mugs, 2 tie bars gold-tone world hemisphere fronting anchor, magnetic plaques, 2 sets of 4 each, labeled "R.O.C. Marine Corps School", box of 12 military museum postcards, DVD on military museum, 2 key chains, marked "Go Navy" on silver-tone bar attached to ring, airplane glider in blue on white Styrofoam, T-shirt, pea green synthetic fabric, size XL, world hemisphere fronting anchor printed in black on chest area, 2 pairs of sunglasses green/black camouflage style marked "ROCMC", in black fabric satchels marked "Marine Corps", tassels, 2, quasi-triangular 3-D polygon in red with gold-tone tied by gold-tone cord over red string tasseling, red cord, patch, machine-embroidered fabric displaying white radiating sun within blue disk over open book form on red field with yellow plants, magazine, "Defense International", July 2016 edition, towels, 2, red/white "R.O.C. Marine Corps", group of 9 travel photographs of military and civilian including John Troxell, group of 5 unframed photos of people including Troxell, group of 13 assorted hats, baseball cap style including 2 tan "Armor", 2 red "Marines", one tan "Song Shan Air Force Base", 2 black "Air Force Institute of Technology—ROCAF", one pink "Fighting Dragon", 2 black with gold-tone calligraphy, one "439th Composite Wing", 2 black "Navy", and 2 men's jewelry sets consisting of tie bar plus pair of oval cufflinks displaying world hemisphere fronting anchor. Rec'd 5/17/17. Est. Value—\$816.00. Disposition—WHS Gift Locker.	Government of the People's Republic of China.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Vincent R. Stewart, USMC, Director, Defense Intelligence Agency.	Mosaic featuring man and falcon. Rec'd—11/16/16. Est. Value—\$490.00. Disposition—Item On Display—DIA Headquarters, 200 MacDill Blvd., Room S601.	Brigadier General Emad Abdelrahman Salem Adaleh, Director, Directorate of Military Intelligence of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Vincent R. Stewart, USMC, Director, Defense Intelligence Agency.	Metal statue depicting male wearing cape on horseback, spearing a crowned 2-headed dragon, over map outline of the Ukraine, affixed to green marble, Book— <i>Euromaiden, History in the Making</i> , Traditional Ukrainian Shirt with long sleeves. Rec'd 11/21/16. Est. Value—\$395.00. Disposition—WHS Gift Locker, Pentagon MF739A, Pending transfer to GSA.	General-Major Vasyil Burba, Chief of the Defense Intelligence of Ukraine.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Vincent R. Stewart, USMC, Director, Defense Intelligence Agency.	Sword in a wood presentation box, the hinged lid displaying relief-carved scene of man carrying large knife over his shoulder, flanked by Ukraine emblem and foliate scrollwork. Rec'd 12/21/16. Est. Value—\$570.00. Disposition—On Display—DIA Headquarters, 200 MacDill Blvd., Room S601.	General Valerii Kondratiuk, Deputy Chief of Staff, Presidential Administration, Ukraine.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Vincent R. Stewart, USMC, Director, Defense Intelligence Agency.	Valentino Necktie, pair of Mont Blanc cufflinks, Mont Blanc tie clip. Rec'd 1/9/17. Est. Value—\$470.00. Disposition—Pending transfer to GSA.	Major General Abdulaziz Al Swailem, Chief, Intelligence and Security Committee of the Saudi Armed Forces, Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Vincent R. Stewart, USMC, Director, Defense Intelligence Agency.	Rug, Saudi, wool pile, hand woven. Rec'd 1/1/17. Est. Value—\$1,000.00. Disposition—Item on Display—DIA.	Major General Abdulaziz Al Swailem, Chief, Intelligence and Security Committee of the Saudi Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Vincent R. Stewart, USMC, Director, Defense Intelligence Agency.	Coffee pot ["dallah"], Arab style, gilt brass, in presentation box, certificate having cartouche over green rectangular band, in green leatherette presentation album. Rec'd 7/24/17. Est. Value—\$485.00. Disposition—WHS Gift Locker.	General Abdurahman bin Saleh Al Banyan, Chief of Staff, Ministry of Defense of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF DEFENSE—Continued
[Report of Tangible Gifts Furnished by the Department of Defense]

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Lieutenant General Vincent R. Stewart, USMC, Director, Defense Intelligence Agency.	Artwork consisting of two flowers in presentation box, necklace of 80 quasi-round/oblong pearls having in presentation box, basket of faceted clear crystal topped by gold-tone handle plus in presentation box and picture, molded plastic rectangle depicting 2 horses running on beach, sailboat in right background, set against mirror within molded frame, in presentation box. Rec'd 9/24/17. Est. Value—\$570.00. Disposition—WHS Gift Locker.	Major General Mohamed AL-SHAHAT, Director, Directorate of Military Intelligence and Reconnaissance of the Arab Republic of Egypt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General Richard Clarke.	Wristwatch by Lockdan in presentation box and plaque displaying Saudi Military emblem surrounded by images of Saudi buildings/monuments plus Saudi emblem of palm tree over crossed sabers, in presentation box. Rec'd—2/8/17. Est. Value—\$408.00. Disposition—WHS Gift Locker, Pentagon MF739A, Pending transfer to GSA.	Major General Mohammed Al-Ghamdi, Chief, Ministry of Defense J3 of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General Jeffrey B. Clark, Director, J3 Operations, Defense Health Agency.	Clock, reduced size partial replica of Makkah Clock Tower in Saudi Arabia, showing gold-tone crescent over censer, over faceted green sphere. Rec'd 3/17. Est. Value—\$450.00. Disposition—WHS Gift Locker.	Major General Abdulaziz Al Malik, Deputy Director General, Medical Services Directorate of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Captain Thomas Henderschedt, USN, Navy Affairs Officer, Defense Intelligence Agency.	Briefcase, by Tumi, tagged as "Style 0961410H Expandable Organizer Computer Brief", black cowhide leather with a shoulder strap. Rec'd—4/1/16. Est. Value—\$675.00. Disposition—WHS Gift Locker, Pentagon MF739A, Pending transfer to GSA.	Rear Admiral Tony Hsu, Navy J2, International Engagements, Taiwan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Admiral Michael S. Rogers, USN, Commander US Cyber Command/DIRNSA/CHCSS.	Mosaic of colored stone; depicting flowering tree under which are three deer, one being attacked by a lion, in a metal frame. Rec'd 8/8/16. Est. Value—\$465.00. Disposition—WHS Gift Locker.	Foreign Official	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Kevin D. Scott, Joint Staff, Legal Counsel.	Men's Lockdan wristwatch. Rec'd 2/9/17. Est. Value—\$428.00. Disposition—WHS Gift Locker.	Major General Ahmed Al Sheri, Chief of the Ministry of Defense, Education and Training Ministry of Defense of the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Raquel Bono, Major General Jeffrey Clark.	Clock, reduced size partial replica of Makkah Clock Tower. Rec'd—2/22/17. Est. Value—\$450.00. Disposition—Item on Display.	Major General Abdulaziz Al Malik, Deputy Director General, Medical Services Directorate, the Kingdom of Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Eric Druxman, Chief, Gulf Cooperation Council Branch, Middle East Africa Regional Center, Defense Intelligence Agency.	Black leather briefcase. Rec'd 4/1/17. Est. Value—\$570.00. Disposition—WHS Gift Locker.	Major General Abdulaziz Al Swailem, Chief, Intelligence and Security Committee of the Saudi Armed Forces, Saudi Arabia.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Steven Riccardi, Principal Director.	Bowl, brass covered in lapis lazuli panels throughout. Rec'd 4/27/17. Est. Value—\$465.00. Disposition—WHS Gift Locker.	His Excellency Abdul Khaliq Sarwari, First Deputy Minister of Defense, the Islamic Republic of Afghanistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Kevin D. Poling, Strategic Planning, Policy and Performance Management Office, Defense Intelligence Agency.	Brown Attaché case made of ostrich skin with embossed Saudi emblem. Rec'd 4/17, Est. Value—\$470.00. Disposition—WHS Gift Locker.	Major General Abdulaziz Al Swailem, Chief, Intelligence and Security Committee of the Saudi Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Elissa Slotkin, ASD, International Security Affairs.	Dress and shawl, holy water from Jordan River in 4 bottles/boxes, plaque depicting crown over falcon clutching crossed sabers flanked by olive branches in presentation box, spa kit including soap/cream/shampoo/lotion, and knife ("kanjar") with curved steel blade with incised bird and calligraphy on one side secured in sheath. Rec'd 3/30/15. Est. Value—\$382.00. Disposition—WHS Gift Locker, Pentagon MF739A, Pending transfer to GSA.	Lieutenant General Mashal Salem al-Zaben, Chairman, Joint Chiefs of Staff of the Jordanian Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF DEFENSE—Continued

[Report of Tangible Gifts Furnished by the Department of Defense]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Ms. Elissa Slotkin, ASD, International Security Affairs.	Gold-tone cartouche of 6 hieroglyphics on one side and "ELLISA" on other, pendant, yellow gold kneeling female holding up spread wings, stamped in Arabic symbols, and key-chain consisting of polished yellow gold "onk" symbol. Rec'd 9/15/16. Est. Value—\$1,190.00. Disposition—WHS Gift Locker, Pentagon MF739A, Pending transfer to GSA.	Younis El Masri, Lieutenant General (Air Force Commander), the Arab Republic of Egypt.	Non-acceptance would cause embarrassment to donor and U.S. Government.
A Department of Defense Employee.	Statue, cast resin, standing Oryx with spiral twist antlers held back, secured over gold-tone medallion affixed to walnut base with Qatar emblem on front. Rec'd unknown. Est. Value—\$900.00. Disposition—WHS Gift Locker.	Government of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF AGRICULTURE

[Report of Tangible Gifts Furnished by the Department of Agriculture]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Natural Agricultural Library (NAL).	Mango Encyclopedia Set—Oman Encyclopedia on Mango Production and Utilization 3 books (English, Spanish & French) standard edition, volume 2.2. Rec'd 7/19/17. Est. Value—\$1,945.00. Disposition—National Agricultural Library for Official Use.	Embassy of Oman	Non-acceptance would cause embarrassment to donor and U.S. Government.
Agricultural Research Service (ARS).	Mango Encyclopedia Set—Oman Encyclopedia on Mango Production and Utilization 3 books (English, Spanish & French) standard edition, volume 2.2. Rec'd 7/19/17. Est. Value—\$1,945.00. Disposition—National Agricultural Library for Official Use.	Embassy of Oman	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF THE AIR FORCE

[Report of Tangible Gifts Furnished by the Department of the Air Force]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Deborah James, Air Force Secretary.	Adante Leyesa purse. Rec'd 7/25/17. Est. Value—\$450.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Chopard watch, pen, cufflink set. Rec'd 10/19/17. Est. Value—\$6,151.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Tissot men's watch. Rec'd 10/19/17. Est. Value—\$437.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Cartier pen. Rec'd 10/19/17. Est. Value—\$540.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Raymone Weil jasmine women's watch. Rec'd 10/19/17. Est. Value—\$1,495.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Raymone Weil tango women's watch. Rec'd 10/19/17. Est. Value—\$1,095.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Raymond Weil tango men's watch. Rec'd 10/19/17. Est. Value—\$671.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF THE AIR FORCE—Continued
[Report of Tangible Gifts Furnished by the Department of the Air Force]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
U.S. Air Force Employee	Rolex oyster perpetual men's watch. Rec'd 10/19/17. Est. Value—\$6,300.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Longines hydroquest men's watch. Rec'd 10/19/17. Est. Value—\$715.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Raymond Weil tango men's watch. Rec'd 10/19/17. Est. Value—\$499.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Mercury men's watch. Rec'd 10/19/17. Est. Value—\$824.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Givenchy men's watch. Rec'd 10/19/17. Est. Value—\$455.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Equss women's watch. Rec'd 10/19/17. Est. Value—\$701.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Louis Erard lady's watch. Rec'd 10/10/17. Est. Value—\$1,294.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Raymone Weil geneve watch- Rec'd 3/3/17. Est. Value—\$400.00. Disposition—Pending transfer to GSA.	Foreign Government Official.	Non-acceptance would cause embarrassment to donor and U.S. Government.
U.S. Air Force Employee	Gold cartouche w/chain. Rec'd 2/28/17. Est. Value—\$640.00. Disposition—Pending transfer to GSA.	General Hahmond Hegazy, Chief of Staff of the Egyptian Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General John W. Hesterman III, Commander AFCENT.	S.T. Dupont carry-on suitcase, men's watch, fountain pen, cufflink set. Rec'd 7/25/17. Est. Value—\$2,872.00. Disposition—Pending transfer to GSA.	Major General Al Mubarak, Commander, Armed Forces of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General John W. Hesterman III, Commander AFCENT.	Cargo men's & ladies watch set, Men's Samalto watch. Pen, cufflink set, Ladies JBR watch, pen, phone chain set, Samsonite suitcase. Rec'd 7/25/17. Est. Value—\$2,000.00. Disposition—Pending transfer to GSA.	Major General Hamad bin Al Atiyah, Armed Forces of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
General David Goldfein, Air Force Chief of Staff.	Louis Erard men's & ladies watch set, American Tourister suitcase. Rec'd 7/25/17. Est. Value—\$2,200.00. Disposition—Pending transfer to GSA.	Major General Malek Salameh Habashneh, Commander, Armed Forces of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Major General Jeffrey Lofgren, Air Force.	Schroeder watch & pen set. Rec'd 7/25/17. Est. Value—\$928.00. Disposition—Pending transfer to GSA.	Brigadier General Ali Al-Neyadi, Commander, United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General John W. Hesterman III, Commander AFCENT.	JBR ladies watch, Santhome wallet, P. Cardin pen & phone chain set. Rec'd 7/25/17. Est. Value—\$1,000. Disposition—Pending transfer to GSA.	Major General Hamad bin Al Atiyah, Ministry of Defense of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Jeffrey Harringian, Air Force.	Monte Blanc portfolio bag, wallet, pen set. Rec'd 7/25/17. Est. Value—\$1,368.00. Disposition—Pending transfer to GSA.	Major General Bin Saleh Al-Otaibi, Commander, the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Lieutenant General Jeffrey Harringian, Air Force.	Versace men's watch. Rec'd 4/19/17. Est. Value—\$1,491. Disposition—Pending transfer to GSA.	General Al-Rumaythi, Hamad Muhammad Thani, Chief of Staff of the Armed Forces for the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF THE AIR FORCE—Continued
[Report of Tangible Gifts Furnished by the Department of the Air Force]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. John Polhemus, Joint Base Andrews Protocol.	One Ebel classic men's watch. Rec'd 6/16/17. Est. Value—\$1,550.00. Disposition—Pending transfer to GSA.	Mr. Elie, Nour, Defense Attaché, the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF JUSTICE
[Report of Travel and Report of Tangible Gifts Furnished by the Department of Justice]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Jefferson B. Sessions III, Attorney General of the United States.	Hand-knotted partial silk Persian carpet. Rec'd 5/19/17. Est. Value—\$400.00. Disposition—Transferred to Justice Management Division.	Dr. Ali Bin Fetais Al Marri, Attorney General, the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Naomi Adaniya, Political analyst.	TRAVEL: Lodging, meals, and transportation in Jamaica. Rec'd 1/14/17–1/22/17. Est. Value—\$390.00.	His Excellency, Roberto Garcia, Ambassador of Colombia to Jamaica.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Kyle Williamson, Regional Director, Middle East Region, DEA.	Bentley men's watch. Rec'd 5/12/17. Est. Value—\$13,000.00. Disposition—Transferred to GSA.	Brigadier: Ahmed Bin Khalifa Al Kuwari, Director of the Drug Prevention Department, Ministry of Interior, State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF THE NAVY
[Report of Tangible Gifts Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Admiral John Richardson, U.S. Navy, Chief of Naval Operations.	Isfahan style rug. Rec'd 9/20/2016. Est. Value—\$6,310.00. Disposition—Retained for official display.	Major General Khaled Abdullah, Chief of Naval Operations of the State of Kuwait.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Kevin Donegan, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Versace men's HELLENYIUM GMT Swiss Quartz Stainless Steel Blue Watch. Rec'd 8/29/17. Est. Value—\$469.00. Disposition—Pending transfer to GSA.	Major General Aqab Shaheen Aqab Al-Ali, Director of Military Intelligence and Security Staff of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Kevin Donegan, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Versace women's HELLENYIUM rose stainless steel watch. Rec'd 8/29/17. Est. Value—\$896.54. Disposition—Pending Transfer to GSA.	Major General Aqab Shaheen Aqab Al-Ali, Director of Military Intelligence and Security Staff of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Kevin Donegan, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Movado Museum stainless steel with diamond dial men's watch. Rec'd 8/29/17. Est. Value—\$1,095.00. Disposition—Pending transfer to GSA.	Major General Aqab Shaheen Aqab Al-Ali, Director of Military Intelligence and Security Staff of the United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Kevin Donegan, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Movado men's watch series 800 Stainless Steel with blue dial. Rec'd 8/29/17. Est. Value—\$995.00. Disposition—Pending transfer to GSA.	Major General Ibrahim Salem Al Musharrakh, Commander, United Arab Emirates.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF THE NAVY—Continued
[Report of Tangible Gifts Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Vice Admiral Kevin Donegan, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Montblanc JFK Limited Edition 1917 Ball Point Pen. Rec'd 9/13/17. Est. Value—\$3,275.00. Disposition—Pending transfer to GSA.	His Highness Shaikh Khalifa Bin Salman Al Khalifa, Prime Minister of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral John W. Miller, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Set of six silver napkin holders. Rec'd 2/9/14. Est. Value—\$483.70. Disposition—Pending transfer to GSA.	Rear Admiral Abdullah Al-Raisi, Commander of the Royal Navy of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral John W. Miller, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Tissot men's watch. Rec'd 6/19/14. Est. Value—\$421.87. Disposition—Pending transfer to GSA.	Rear Admiral Maglouth, Commander of the Royal Saudi Navy Eastern Fleet.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral John W. Miller, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Wooden jewelry box. Rec'd 8/20/13. Est. Value—\$325.00. Disposition—Pending transfer to GSA.	His Excellency Albert Rosario, Secretary of Foreign Affairs of the Republic of the Philippines.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral John W. Miller, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Al Jazeera musk and Paris perfume gift set. Rec'd 4/15/15. Est. Value—\$500.00. Disposition—Pending transfer to GSA.	Commodore Mohammed Nasser al-Mohanadi, Head of Navy, State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral John W. Miller, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Omega men's watch. Rec'd 6/24/15. Est. Value—\$2,700.00. Disposition—Pending transfer to GSA.	Lieutenant General Mohammed Khaled Al-Khadher, Chief of Staff of the Kuwaiti Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral John W. Miller, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	18 piece cutlery set. Rec'd 8/7/12. Est. Value—\$199.00. Disposition—Pending transfer to GSA.	General Jean Kahwagi, Commander of the Lebanese Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral John W. Miller, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Chopard Milla XL pen, watch and cufflink gift set. Rec'd 4/15/15. Est. Value—\$6,190.00. Disposition—Pending transfer to GSA.	Commodore Mohammed Nasser al-Mohanadi, Head of the Navy of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral John W. Miller, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	18 piece cutlery set. Rec'd 8/7/12. Est. Value—\$199.00. Disposition—Pending transfer to GSA.	General Jean Kahwagi, Commander of the Lebanese Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Mark I. Fox, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	18 piece cutlery set. Rec'd 2/21/12. Est. Value—\$199.00. Disposition—Pending transfer to GSA.	General Jean Kahwagi, Commander of the Lebanese Armed Forces.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Vice Admiral Mark I. Fox, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	14" tall decorative blue bowl. Rec'd 12/5/11. Est. Value—\$625.00. Disposition—Item was damaged in shipping, report of loss was documented.	Lieutenant General Ahmed Al-Nabhani, Chief of Staff of the Sultan's Armed Forces of Oman.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF THE NAVY—Continued
[Report of Tangible Gifts Furnished by the Department of the Navy]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Vice Admiral Mark I. Fox, U.S. Navy, Commander, U.S. Naval Forces Central Command, Commander, U.S. FIFTH Fleet/Combined Maritime Forces.	Sterling silver Khanjar ceremonial knife and scabbard. Rec'd 8/29/12. Est. Value—\$975.00. Disposition—Pending transfer to GSA.	His Royal Highness Prince Salman bin Hamad bin Isa al Khalifa, Deputy King, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Charles B. Cooper, U.S. Navy, Commander, U.S. Naval Forces Korea.	Women's D.N.A.golf shoes. Rec'd 12/30/17. Est. Value—\$169.99. Disposition—Pending transfer to GSA.	Vice Admiral Jung, Jin-sup, Republic of Korean Navy, Commander, Republic of Korea Fleet.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Charles B. Cooper, U.S. Navy, Commander, U.S. Naval Forces Korea.	Men's D.N.A.golf shoes. Rec'd 12/30/17. Est. Value—\$149.99. Disposition—Pending transfer to GSA.	Vice Admiral Jung, Jin-sup, Republic of Korean Navy, Commander, Republic of Korea Fleet.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Charles B. Cooper, U.S. Navy, Commander, U.S. Naval Forces Korea.	DAKS black belt and wallet. Rec'd 12/30/17. Est. Value—\$135.80. Disposition—Pending transfer to GSA.	Vice Admiral Jung, Jin-sup, Republic of Korean Navy, Commander, Republic of Korea Fleet.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Charles B. Cooper, U.S. Navy, Commander, U.S. Naval Forces Korea.	Sulwhasoo cosmetic gift set. Rec'd 12/30/17. Est. Value—\$121.00. Disposition—Pending transfer to GSA.	Vice Admiral Jung, Jin-sup, Republic of Korean Navy, Commander, Republic of Korea Fleet.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Charles B. Cooper, U.S. Navy, Commander, U.S. Naval Forces Korea.	Korean dish set. Rec'd 12/30/17. Est. Value—\$74.26. Disposition—Pending transfer to GSA.	Vice Admiral Jung, Jin-sup, Republic of Korean Navy, Commander, Republic of Korea Fleet.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Admiral Charles B. Cooper, U.S. Navy, Commander, U.S. Naval Forces Korea.	Wine bottle holder. Rec'd 12/30/17. Est. Value—\$115.00. Disposition—Pending transfer to GSA.	Vice Admiral Jung, Jin-sup, Republic of Korean Navy, Commander, Republic of Korea Fleet.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Rear Nancy Norton, U.S. Navy, Director, Warfare Integration for Information Warfare.	Aigner women's watch. Rec'd 5/11/17. Est. Value—\$784.24. Disposition—Pending transfer to GSA.	Brigadier General Matar Kh. Altunau, Intelligence Center Commander, United Arab Emirates Navy.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: THE DEPARTMENT OF TRANSPORTATION
[Report of Gift of Travel Furnished by the Department of Transportation]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Tony Padilla, Senior Advisor, International Affairs.	TRAVEL: Gifted airfare, lodging, and MI&E in Dhaka, Bangladesh. Rec'd 6/10/17. Est. Value—\$2,931.00.	World Bank Group	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Dennis Dvorak, Senior Pavement and Materials Engineer.	TRAVEL: Airline transportation, four nights of lodging and four days of meals. Rec'd 7/31/17. Est. Value—\$1,350.00.	Manitoba Infrastructure, Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Robert Conway, Pavement and Materials Engineer.	TRAVEL: Airline transportation, four nights of lodging and four days of meals. Rec'd 7/31/2017. Est. Value—\$1,350.00.	Manitoba Infrastructure, Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: DEPARTMENT OF THE TREASURY

[Report of Tangible Gifts Furnished by the Department of the Treasury]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. Eli Miller, Chief of Staff	Box of 43 cigars and humidor. Rec'd 11/7/2017. Est. Value—\$616.97. Disposition—Purchased from Donor by Employee..	Mr. Ali Bin Fetals Al Marri, Attorney General of Qatar, Government of the State of Qatar.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE

[Report of Tangible Gifts Furnished by the Office of the Director of National Intelligence]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
5 U.S.C. 7342(f)(4)	Framed impressionist print by 20th century painter. Rec'd 1/28/2015. Est. Value—\$500.00. Disposition—On Official Display.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.
5 U.S.C. 7342(f)(4)	Dagger with leather and silver sheath and brooch in 18 karat gold with sapphires. Rec'd 11/9/2016. Est. Value—\$500.00. Disposition—On Official Display.	5 U.S.C. 7342(f)(4)	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: SMITHSONIAN INSTITUTION

[Report of Tangible Gifts Furnished by the Smithsonian Institution]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
Mr. David Skorton, Secretary, Smithsonian Institution.	Gold enameled box containing coffee/tea pot, three porcelain tea cups and coffee canister; golden enameled box containing dried figs. Rec'd 9/25/17. Est. Value—\$4,000.00. Disposition—Kept for use in the OS Office.	Saudi Aramco Oil Company.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. David Skorton, Secretary, Smithsonian Institution.	25" x 21" painting of a horse; a geological core sample dating from 150M years ago; a sculpture from the King Abdulaziz Center for World Culture; a woven bag; a pair of leather sandals; a metal canister with tea cups; a Lenovo tablet computer (model TB2-X30L); a flash drive; 4 small books of "Contemporary Art from Saudi Arabia" from 2016-2017; information booklet titled "King Abdulaziz Center for World Culture: An Overview;" a small glass jar of red sand; white robe with tassles, ghutra (head scarf) and egal (band for scarf); a bag for The National Museum containing a bronze plaque inscribed in Musnad script from the 3rd century BCE and a Riyadh National Museum Guide and various pamphlets; a DVD from the Museum of the International Taibat City of Science and Knowledge and book "Al Tayebat International City for Sciences & Knowledge; two sets each of: DVD titled "Wadi Hanifah: A Journey of Change;" book titled "Addiriyah: The Glorious Past and the Bright Future;" pamphlet titled "Wadi Hanifah Restoration Project;" Saudi Arabia Arriyadh Development Authority booklet "Investment Climate in Arriyadh 2015;" book titled "Al Bujairi: Heart of the Call;" book titled "The King Abdulaziz Historical Centre". Rec'd unknown. Est. Value—\$500.00. Disposition—Kept for use in OS office.	Saudi Aramco Oil Company.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES AGENCY OF INTERNATIONAL DEVELOPMENT
[Report of Gifts of Travel Furnished by USAID]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
USAID Mission Director for Jordan.	TRAVEL: Mission Director's travel to attend 2018 World Government Summit in Dubai. Rec'd 2/10/17. Est. Value—\$1,700.00.	The World Government Summit.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES HOUSE OF REPRESENTATIVES
[Report of Tangible Gifts and Gifts of Travel Furnished by the U.S. House of Representatives]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Paul Ryan, Speaker of the House.	Statue of a famine ship which depicts the survivors disembarking. Rec'd 3/16/17. Est. Value—\$4,000.00. Disposition—On Display in H-217 Capitol.	His Excellency Enda Kenny, Prime Minister of Ireland.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Paul Ryan, Speaker of the House.	Historical coin cufflinks. Rec'd 6/7/17. Est. Value—\$1,000.00. Disposition—On Display in the Speaker's Office.	The State of Israel	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Amanda Hamilton, Deputy Chief of Staff.	TRAVEL: Lodging, meals, and incidental expenses. Rec'd 5/26–6/4/17. Est. Value—Unknown.	Bundestag/Bundesrat, The Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Philip J. Bednardsyk, Democratic Staff Director, Subcommittee on Europe and Eurasia.	TRAVEL: Local travel costs in UK (bus, boat), lodging, and program related meals. Rec'd 4/19–4/23/17. Est. Value—Unknown.	Mr. Michael Meier, FES Representative to the U.S. and Canada.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. John P. Marshall, Senior Policy Advisor.	TRAVEL: Lodging, meals, and incidental expenses. Rec'd 5/26–6/7/17. Est. Value—Unknown.	Bundestag/Bundesrat, The Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Sean Maxwell, Legislative Director/Rep. David Price.	TRAVEL: Lodging, meals, and incidental expenses. Rec'd 5/26–6/4/17. Est. Value—Unknown.	Bundestag/Bundesrat, The Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Anthony Sciascia, Counsel, Office of Legislative Counsel.	TRAVEL: Lodging, meals, and incidental expenses. Rec'd 5/26–6/4/17. Est. Value—Unknown.	Bundestag/Bundesrat, The Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Jason Smith, Assistant Parliamentarian.	TRAVEL: Lodging, meals, and incidental expenses. Rec'd 5/26–6/4/17. Est. Value—Unknown.	Bundestag/Bundesrat, The Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Daniel Tidwell	TRAVEL: Lodging, meals, and incidental expenses. Rec'd 5/26–6/6/17. Est. Value—Unknown.	Bundestag/Bundesrat, The Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Mac Tolar	TRAVEL: Lodging, meals, and incidental expenses. Rec'd 5/26–6/4/17. Est. Value—Unknown.	Bundestag/Bundesrat, The Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Mark Takano	TRAVEL: Local travel costs in UK (bus, boat), lodging and program related meals. Rec'd 4/19–4/22/17. Est. Value—Unknown.	Friedrich Ebert Foundation, the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Mr. Michael Mucchetti, Chief of Staff, Rep. Lloyd Doggett.	TRAVEL: Local travel costs in UK (bus, boat), lodging and program related meals. Rec'd 4/19–4/22/17. Est. Value—Unknown.	Friedrich Ebert Foundation, the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Richard McPike, Chief of Staff, Rep. Mark Takano.	TRAVEL: Local travel costs in UK (bus, boat), lodging and program related meals. Rec'd 4/19–4/22/17. Est. Value—Unknown.	Friedrich Ebert Foundation, the Federal Republic of Germany.	Non-acceptance would cause embarrassment to donor and U.S. Government.

AGENCY: UNITED STATES SENATE
[Report of Tangible Gifts Furnished by the United States Senate]

Name and title of person accepting the gift on behalf of the U.S. Government	Gift, date of acceptance on behalf of the U.S. Government, estimated value, and current disposition or location	Identity of foreign donor and government	Circumstances justifying acceptance
The Honorable Mitch McConnell, Majority Leader of the United States Senate.	William & Son pen set. Rec'd 11/29/2017. Est. Value—\$600.00. Disposition—Deposited with the Secretary of the Senate.	His Royal Highness Prince Salman bin Hamad bin Isa Al Khalifa, Crown Prince of the Kingdom of Bahrain.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Jack Reed, United States Senator.	Narai Phand pewter tea set. Rec'd 4/27/2018. Est. Value—\$981.53. Disposition—Deposited with the Secretary of the Senate.	General Thawip Netniyom, Secretary General of the National Security Council of the Kingdom of Thailand.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable John McCain, United States Senator.	Ceremonial pistol. Rec'd 7/4/2017. Est. Value—\$500.00. Disposition—Deposited with the Secretary of the Senate.	General Qamar Javed Bajwa, Chief of Army Staff of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
The Honorable Lindsey Graham, United States Senator.	Ceremonial pistol. Rec'd 7/4/2017. Est. Value—\$500.00. Disposition—Deposited with the Secretary of the Senate.	General Qamar Javed Bajwa, Chief of Army Staff, of the Islamic Republic of Pakistan.	Non-acceptance would cause embarrassment to donor and U.S. Government.
Ms. Margaret Murphy, Chief of Protocol and Foreign Travel, Committee on Foreign Relations.	Longines Conquest steel watch. Rec'd 2/15/2017. Est. Value—\$746.00. Disposition—Deposited with the Secretary of the Senate.	His Majesty, King Abdullah II ibn Al-Hussein of the Hashemite Kingdom of Jordan.	Non-acceptance would cause embarrassment to donor and U.S. Government.

[FR Doc. 2019-04063 Filed 3-6-19; 8:45 am]

BILLING CODE 4710-20-P

DEPARTMENT OF STATE

[Public Notice 10693]

Advisory Committee on Historical Diplomatic Documentation Notice of Charter Renewal

The Advisory Committee on Historical Diplomatic Documentation has renewed its charter for a period of two years. This Advisory Committee will continue to make recommendations to the Historian and the Department of State on all aspects of the Department's program to publish the *Foreign Relations of the United States* series as well as on the Department's responsibility under statute (22 U.S.C. 4351, *et seq.*) to open its 30-year old and older records for public review at the National Archives and Records Administration. The Committee consists of nine members drawn from among historians, political scientists, archivists, international lawyers, and other social scientists who are distinguished in the field of U.S. foreign relations.

Questions concerning the Committee and the renewal of its Charter should be directed to Renée A. Goings or Adam M. Howard, Executive Secretary, Advisory Committee on Historical Diplomatic Documentation, Department of State, Office of the Historian, 2300 E Street NW, Washington, DC 20372 (Navy

Potomac Annex), telephone (202) 955-0215 (email history@state.gov).

Renée A. Goings,

Acting Executive Secretary, Department of State.

[FR Doc. 2019-04091 Filed 3-6-19; 8:45 am]

BILLING CODE 4710-11-P

DEPARTMENT OF STATE

[Public Notice: 10690]

Biodiversity Beyond National Jurisdiction; Notice of Public Meeting

SUMMARY: The Department of State will hold an information session regarding upcoming United Nations negotiations concerning marine biodiversity in areas beyond national jurisdiction.

DATES: The public meeting will be held on March 12, 2019, 11:00 a.m.–12:00 p.m.

ADDRESSES: The meeting will be held at the Harry S. Truman Main State Building, Room 3940, 2201 C Street NW, Washington, DC 20520.

FOR FURTHER INFORMATION CONTACT: If you would like to participate in this meeting, please send your (1) name, (2) organization/affiliation, and (3) email address and phone number, as well as any requests for reasonable accommodation, to Ivan Weinstein at 202-647-1952 or at WeinsteinIS@state.gov.

SUPPLEMENTARY INFORMATION: The United Nations will convene the second

session of an Intergovernmental Conference (IGC) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ) on March 25–April 5, 2019, in New York City. The UN General Assembly established the IGC to consider the recommendations of a two-year Preparatory Committee and to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of Sea on BBNJ. The IGC met for its first session September 4–17, 2018. It will meet for a third session August 19–30, 2019, and a fourth session in 2020. Additional information on the BBNJ process is available at www.un.org/bbnj.

We would like to invite interested stakeholders to a public meeting to share views about the BBNJ IGC, in particular to provide information to assist the U.S. Government in developing its positions. Stakeholders are invited to provide comments on the IGC President's aid to negotiations, available at undocs.org/A/CONF.232/2019/1. We will provide a brief overview of the discussions at and outcomes of the first session of the IGC and listen to the viewpoints of U.S. stakeholders. The information obtained from this session will help the U.S. delegation prepare for participation in the upcoming IGC sessions.

Reasonable Accommodation: This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other reasonable accommodation should be

directed to (see **FOR FURTHER INFORMATION CONTACT**) at least 5 days prior to the meeting date. Requests received after that date will be considered, but might not be possible to fulfill.

Personal data for entry into the Harry S. Truman building are requested pursuant to Public Law 99-399 (Omnibus Diplomatic Security and Antiterrorism Act of 1986), as amended; Public Law 107-56 (USA PATRIOT Act); and Executive Order 13356. The purpose of the collection is to validate the identity of individuals who enter Department facilities. The data will be entered into the Visitor Access Control System (VACS-D) database. Please see the Security Records System of Records Notice (State-36) at <https://www.state.gov/privacy/sorns/index.htm> for additional information.

Evan T. Bloom,

Director, Office of Ocean and Polar Affairs,
Bureau of Oceans and International
Environmental and Scientific Affairs,
Department of State.

[FR Doc. 2019-04088 Filed 3-6-19; 8:45 am]

BILLING CODE 4710-09-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[Docket No. FHWA-2019-0006]

Agency Information Collection Activities: Notice of Request for Renewal of Two Previously Approved Information Collection

AGENCY: Federal Highway
Administration (FHWA), DOT.

ACTION: Notice and request for
comments.

SUMMARY: The FHWA invites public
comments about our intention to request
the Office of Management and Budget's
(OMB) approval to renew two
information collections, which are
summarized below under
SUPPLEMENTARY INFORMATION. We are
required to publish this notice in the
Federal Register by the Paperwork
Reduction Act of 1995.

DATES: Please submit comments by May
6, 2019.

Public Comments Invited: You are
asked to comment on any aspect of
these information collections, including:
(1) Whether the proposed collections are
necessary for the FHWA's performance;
(2) the accuracy of the estimated
burdens; (3) ways for the FHWA to
enhance the quality, usefulness, and
clarity of the collected information; and
(4) ways that the burdens could be

minimized, including use of electronic
technology, 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 these information
collections.

ADDRESSES: You may submit comments
identified by Docket ID Number FHWA-
2015-0005 by any of the following
methods:

Website: For access to the docket to
read background documents or
comments received go to the Federal
eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online
instructions for submitting comments.

Fax: 1-202-493-2251.

Mail: Docket Management Facility,
U.S. Department of Transportation,
West Building Ground Floor, Room
W12-140, 1200 New Jersey Avenue SE,
Washington, DC 20590-0001.

Hand Delivery or Courier: U.S.
Department of Transportation, West
Building Ground Floor, Room W12-140,
1200 New Jersey Avenue SE,
Washington, DC 20590, between 9 a.m.
and 5 p.m. ET, Monday through Friday,
except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr.
Michael Dougherty, (202) 366-9234,
Department of Transportation, Federal
Highway Administration, Office of
Policy, Office of Highway Policy
Information, Highway Funding and
Motor Fuels Division (HPPI-10), 1200
New Jersey Avenue SE, Washington, DC
20590. Office hours are from 7 a.m. to
4:30 p.m., Monday through Friday,
except Federal holidays.

Mr. Robert Rozycki, (202) 366-5059,
Department of Transportation, Federal
Highway Administration, Highway
Systems Performance (HPPI-20), Office
of Highway Policy Information, Office of
Policy & Governmental Affairs, 1200
New Jersey Avenue SE, Washington, DC
20590. Office hours are from 7:30 a.m.
to 4 p.m., Monday through Friday,
except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title 1: A Guide to Reporting Highway
Statistics.

OMB Control Number: 2125-0032.

Abstract: A Guide to Reporting
Highway Statistics provides for the
collection of information by describing
policies and procedures for assembling
highway related data from the existing
files of State agencies. The data includes
motor-vehicle registration and fees,
motor-fuel use and taxation, driver
licensing, and highway taxation and
finance. Federal, State, and local
governments use the data for
transportation policy discussions and
decisions. Motor-fuel data are used in

attributing receipts to the Highway
Trust Fund and subsequently in the
apportionment formula that are used to
distribute Federal-Aid Highway Funds.
The data are published annually in the
FHWA's Highway Statistics.
Information from Highway Statistics is
used in the joint FHWA and Federal
Transit Administration required
biennial report to Congress, Status of the
Nation's Highways, Bridges, and
Transit: Conditions and Performance,
which contrasts present status to future
investment needs.

Respondents: State and local
governments of the 50 States, the
District of Columbia, the
Commonwealth of Puerto Rico, Guam,
American Samoa, the Northern
Marianas, and the Virgin Islands share
this burden.

*Estimated Average Burden per
Response:* The estimated average
reporting burden per response for the
annual collection and processing of the
data is 754 hours for each of the States
(including local governments), the
District of Columbia, the
Commonwealth of Puerto Rico, Guam,
American Samoa, the Northern
Marianas, and the Virgin Islands.

Estimated Total Annual Burden: The
estimated total annual burden for all
respondents is 42,206 hours.

Title 2: Highway Performance
Monitoring System (HPMS).

OMB Control Number: 2125-0028.

Abstract: The HPMS data that is
collected is used for management
decisions that affect transportation,
including estimates of the Nation's
future highway needs and assessments
of highway system performance. The
information is used by the FHWA to
develop and implement legislation and
by State and Federal transportation
officials to adequately plan, design, and
administer effective, safe, and efficient
transportation systems. This data is
essential to the FHWA and Congress in
evaluating the effectiveness of the
Federal-aid highway program. The
HPMS also provides miles, lane-miles
and travel components of the Federal-
Aid Highway Fund apportionment
formulae. The data that is required by
the HPMS is continually reassessed and
streamlined by the FHWA.

Respondents: State governments of
the 50 States, the District of Columbia
the Commonwealth of Puerto Rico.

*Estimated Average Burden per
Response:* The estimated average burden
per response for the annual collection
and processing of the HPMS data is
1,440 hours for each State, the District
of Columbia and the Commonwealth of
Puerto Rico.

Estimated Total Annual Burden: The estimated total annual burden for all respondents is 74,880 hours.

Authority: The Paperwork Reduction Act of 1995; 44 U.S.C. Ch. 35, as amended; and 49 CFR 1.48.

Issued on: March 1, 2016.

Michael Howell,

Information Collection Officer.

[FR Doc. 2019-04071 Filed 3-6-19; 8:45 am]

BILLING CODE 4910-22-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by FHWA and the U.S. Fish and Wildlife Service.

SUMMARY: The Federal Highway Administration (FHWA) is issuing this notice to announce actions taken by FHWA and the U.S. Fish and Wildlife Service that are final. This notice announces to the public that FHWA, as the National Environmental Policy Act (NEPA) lead agency, has prepared and approved (December 17, 2018) a Final Environmental Assessment (EA) with a Finding of No Significant Impact (FONSI). The actions relate to a proposed highway project in Santa Cruz County, California. The actions taken by FHWA and the U.S. Fish and Wildlife Service grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, is advising the public of final agency actions subject to 23 U.S.C. 139(I)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before August 5, 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: David Tedrick, Senior Environmental Specialist, Federal Highway Administration, 650 Capitol Mall, Suite 4-100, Sacramento, CA 95814, (916) 498-5024, or email: david.tedrick@dot.gov.

For Caltrans: Lara Bertaina, Senior Environmental Planner, California Department of Transportation, 50 Higuera Street, San Luis Obispo, CA 93401, phone: (805) 542-4610, or email: lara.bertaina@dot.ca.gov.

SUPPLEMENTARY INFORMATION: The overall project (Tier I), which would be built as a series of smaller “tiered” projects, spans approximately 8.9 miles along State Route (SR) 1 starting approximately 0.4 mile south of the San Andreas-Larkin Valley Road interchange and ending 0.3 mile north of the Morrissey Boulevard interchange (postmile [PM] 7.3 to PM 16.2) and the Tier II project (project), a 1.4-mile segment of the Tier I project located between the 41st Avenue and Soquel Drive/Soquel Avenue interchanges (PM 3.5 to PM 14.9). The project is located outside coastal zone jurisdiction. The Santa Cruz County Regional Transportation Commission (SCCRTC) is proposing to widen SR 1 by adding an auxiliary lane to both northbound and southbound sides between the 41st Avenue and Soquel Drive interchanges. The new auxiliary lanes would be 12 feet wide. In the northbound direction, the project proposes to pave a 10-foot-wide median shoulder and widen the roadway to the outside in order to add the 12-foot-wide auxiliary lane and a new 10-foot-wide shoulder. In the southbound direction, the width needed for the new lane would be added in the median, and the median barrier would be shifted approximately five feet toward the northbound side of the freeway to make room for the new lane and a standard 10-foot-wide shoulder. Where the new southbound lane meets the existing ramps, outside shoulder widening would occur to achieve standard 10-foot-wide shoulders. The project would also include the construction of required retaining walls and a pedestrian/bicycle overcrossing at Chanticleer Avenue. The Final Tier I/ Tier II Environmental Assessment (EA)/ Environmental Impact Report (EIR) is a joint project by Caltrans, the Federal Highway Administration (FHWA), and the Santa Cruz County Regional Transportation Commission (SCCRTC) and is subject to state and federal environmental review requirements. FHWA and Caltrans jointly prepared the Final EA/EIR pursuant to the requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). Caltrans is the lead agency under CEQA. The FHWA is the lead agency under NEPA.

The Tier I project proposes to widen approximately 8.9 miles of SR 1 in order to provide high-occupancy vehicle (HOV) lanes, auxiliary lanes, pedestrian overcrossings, and related improvements in the County of Santa Cruz, State of California. The actions by the Federal agencies, and the laws

under which such actions were taken, are described in the Final EIR/EA for the project, approved on January 3, 2019, in the FHWA Finding of No Significant Impact (FONSI), issued on December 17, 2018, and in other documents in the FHWA project records. The Final EIR/EA, FONSI, and other project records are available by contacting FHWA, at the address provided above. The FHWA Final EIR/EA and FONSI can be viewed and downloaded from the project website at: <https://scrtc.org/projects/streets-highways/hwy1corridor/>.

The U.S. Fish and Wildlife biological opinion 08EVEN00-2018-F-0421 is available by contacting FHWA, at the address provided 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. Council on Environmental Quality regulations (40 CFR 1500 *et seq.*; 23 CFR 771);
2. National Environmental Policy Act (NEPA) (42 U.S.C. 4321-4351 *et seq.*);
3. Federal-Aid Highway Act of 1970, 23 U.S.C. 109;
4. Fixing America’s Surface Transportation Act of 2015;
5. Clean Air Act of 1963, as amended (42 U.S.C. 7401 *et seq.*);
6. Clean Water Act of 1977 (33 U.S.C. 1344);
7. Federal Land Policy and Management Act of 1976 (Paleontological Resources);
8. Safe Drinking Water Act of 1944, as amended;
9. Noise Control Act of 1979 (42 U.S.C. 4901 *et seq.*);
10. FHWA Noise Standards, Policies, and Procedures (23 CFR 772);
11. Department of Transportation Act of 1966, Section 4(f) (49 U.S.C. 303);
12. Endangered Species Act of 1973 (16 U.S.C. 1531-1543);
13. Migratory Bird Treaty Act (16 U.S.C. 703-712);
14. National Historic Preservation Act of 1966, as amended (54 U.S.C. 306108 *et seq.*);
15. Executive Order 11990, Protection of Wetlands;
16. Executive Order 13112, Invasive Species;
17. Executive Order 12898, Federal Actions to Address Environmental Justice and Low-Income Populations;
18. Title VI of Civil Rights Act 1964 (42 U.S.C. 2000d *et seq.*), as amended.

(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).

Maiser Khaled,

Director, Technical Services Team, Federal Highway Administration, Sacramento, California.

[FR Doc. 2019-04130 Filed 3-6-19; 8:45 am]

BILLING CODE 4910-RY-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Notice of Meeting of Transit Advisory Committee for Safety

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice of meeting.

SUMMARY: The Federal Transit Administration (FTA) announces a public meeting of the Transit Advisory Committee for Safety (TRACS). TRACS is a discretionary Federal Advisory Committee established by the U.S. Secretary of Transportation (Secretary) in accordance with the Federal Advisory Committee Act to provide information, advice and recommendations to the Secretary and FTA Administrator on matters relating to the safety of public transportation systems.

DATES: The TRACS meeting will be held on March 26, 2019, 9:00 a.m. to 4:00 p.m., and March 27, 2019, 9:00 a.m. to 12:00 p.m.

ADDRESSES: The meeting will be held at the National Highway Institute, 1310 North Courthouse Road, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: Henrika Buchanan, TRACS Designated Federal Officer, Acting Associate Administrator, FTA Office of Transit Safety and Oversight, (202) 366-1783; or Kara Waldrup, FTA Office of Transit Safety and Oversight, (202) 366-7273.

SUPPLEMENTARY INFORMATION: This notice is provided in accordance with the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 2). TRACS is composed of 15 members representing a broad base of expertise necessary to discharge its responsibilities. Please see the TRACS website for additional information at <https://www.transit.dot.gov/regulations-and-guidance/safety/transit-advisory-committee-safety-tracs>. A conference line will be available during the meeting and the number to dial-in will be posted to the TRACS website. The tentative agenda for the March 2019 TRACS meeting is set forth below:

Agenda

(1) Welcome Remarks/Introductions

- (2) Facility Use/Safety Briefing
- (3) Review of TRACS Task and Work Plan
- (4) Nominations for Chairperson, Vice-Chairperson, and other Volunteer Positions
- (5) Future TRACS Activities
- (6) Public Comments
- (7) Summary of Deliverables/Concluding Remarks

Public Participation

This meeting will be open to the public. Members of the public who wish to attend are asked to send an email to kara.waldrup@dot.gov, in order to be added to the meeting location's visitor list. Attendees who are on the visitors list may access the building by presenting a current state-issued driver's license, state-issued identification card, or other valid photo identification issued by the Federal government. Members of the public wishing to make an oral statement, participate by phone, or seeking alternative formats or services because of a disability at the meeting must contact Kara Waldrup by close of business on March 22, 2019. Members of the public may submit written comments or suggestions concerning the activities of TRACS at any time before or after the meeting at TRACS@dot.gov, or to the U.S. Department of Transportation, Federal Transit Administration, Office of Transit Safety and Oversight, Room E45-131, 1200 New Jersey Avenue SE, Washington, DC 20590. Attention: Kara Waldrup. Information from the meeting will be posted on FTA's public website at <https://www.transit.dot.gov/regulations-and-guidance/safety/transit-safety-oversight-tso>. Written comments submitted to TRACS will also be posted at the above web address.

Issued in Washington, DC.

K. Jane Williams,
Acting Administrator.

[FR Doc. 2019-04112 Filed 3-6-19; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket FTA-2019-0001]

Notice of Establishment of Emergency Relief Docket for Calendar Year 2019

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice.

SUMMARY: By this notice, the Federal Transit Administration (FTA) is establishing an Emergency Relief Docket for calendar year 2019, so that grantees

and subgrantees affected by a national or regional emergency or disaster may request temporary relief from FTA administrative and statutory requirements.

FOR FURTHER INFORMATION CONTACT: Bonnie L. Graves, Attorney-Advisor, Office of Chief Counsel, Federal Transit Administration, 90 Seventh Street, Ste. 15-300, San Francisco, CA 94103; phone: (202) 366-0944, fax: (415) 734-9489, or email, Bonnie.Graves@dot.gov.

SUPPLEMENTARY INFORMATION: Pursuant to 49 CFR 601.42, FTA is establishing the Emergency Relief Docket for calendar year 2019. In the case of a national or regional emergency or disaster, or in anticipation of such an event, when FTA requirements impede a grantee or subgrantee's ability to respond to the emergency or disaster, a grantee or subgrantee may submit a request for relief from specific FTA requirements.

If FTA determines that a national or regional emergency or disaster has occurred, or in anticipation of such an event, FTA will place a message on its web page (<http://www.fta.dot.gov>) indicating that the Emergency Relief Docket has been opened and including the docket number.

All petitions for relief from FTA administrative or statutory requirements must be posted in the docket in order to receive consideration by FTA. The docket is publicly available and can be accessed 24 hours a day, seven days a week, via the internet at www.regulations.gov. Any grantee or subgrantee submitting petitions for relief or comments to the docket must include the agency name (Federal Transit Administration) and docket number FTA-2019-0001.

Interested parties may consult 49 CFR part 601, subpart D for information on FTA's emergency procedures for public transportation systems. FTA strongly encourages grantees and subgrantees to contact their FTA regional office and notify FTA of the intent to submit a petition to the docket.

A grantee or subgrantee seeking relief has three avenues for submitting a petition. First, a grantee or subgrantee may submit a petition for waiver of FTA requirements to www.regulations.gov, for posting in the docket (FTA-2019-0001). Alternatively, a grantee or subgrantee may submit a petition in duplicate (two copies) to the FTA Administrator, via U.S. mail or hand delivery to Federal Transit Administration, 1200 New Jersey Ave. SE, Washington, DC 20590; via fax to (202) 366-3472; or via email to Bonnie.Graves@dot.gov; or via U.S. mail

or hand delivery to the DOT Docket Management Facility, 1200 New Jersey Ave. SE, Room W12-140, Washington, DC 20590. Thirdly, in the event that a grantee or subgrantee needs to request immediate relief and does not have access to electronic means to request that relief, the grantee or subgrantee may contact any FTA regional office or FTA headquarters and request that FTA staff submit the petition on its behalf.

Federal public transportation law at 49 U.S.C. 5324(d) provides that a grant awarded under Section 5324, or under 49 U.S.C. 5307 or 49 U.S.C. 5311, that is made to address an emergency shall be subject to the terms and conditions the Secretary determines are necessary. This language allows FTA to waive certain statutory, as well as administrative, requirements. An FTA grantee or subgrantee receiving financial assistance under 49 U.S.C. 5324, 5307, or 5311 that is affected by a national or regional emergency or disaster may request a waiver of provisions of Chapter 53 of Title 49 of the United States Code in connection with such financial assistance, when a grantee or subgrantee demonstrates that the requirement(s) will limit a grantee's or subgrantee's ability to respond to a national or regional emergency or disaster.

A grantee or subgrantee must include certain information when requesting a waiver of statutory or administrative requirements. A petition for relief shall:

- (a) Include the agency name (Federal Transit Administration) and docket number FTA-2019-0001;
- (b) Identify the grantee or subgrantee and its geographic location;
- (c) Identify the section of Chapter 53 of Title 49 of the United States Code, or the portion of an FTA policy statement, circular, guidance document or rule, from which the grantee or subgrantee seeks relief;
- (d) Specifically address how a requirement in Chapter 53 of Title 49 of the United States Code, or an FTA requirement in a policy statement, circular, agency guidance or rule, will limit a grantee's or subgrantee's ability to respond to a national or regional emergency or disaster; and
- (e) Specify if the petition for relief is one-time or ongoing, and if ongoing identify the time period for which the relief is requested. The time period may not exceed three months; however, additional time may be requested through a second petition for relief.

A petition for relief from administrative requirements will be conditionally granted for a period of three (3) business days from the date it is submitted to the Emergency Relief

Docket. FTA will review the petition after the expiration of the three business days and review any comments submitted regarding the petition. FTA may contact the grantee or subgrantee that submitted the request for relief, or any party that submits comments to the docket, to obtain more information prior to making a decision. FTA shall then post a decision to the Emergency Relief Docket. FTA's decision will be based on whether the petition meets the criteria for use of these emergency procedures, the substance of the request, and any comments submitted regarding the petition. If FTA does not respond to the request for relief to the docket within three business days, the grantee or subgrantee may assume its petition is granted for a period not to exceed three months until and unless FTA states otherwise.

A petition for relief from statutory requirements will not be conditionally granted and requires a written decision from the FTA Administrator.

An FTA decision letter, either granting or denying a petition, shall be posted in the Emergency Relief Docket and shall reference the document number of the petition to which it relates. FTA reserves the right to reconsider any decision made pursuant to these emergency procedures based upon its own initiative, based upon information or comments received subsequent to the three business day comment period, or at the request of a grantee or subgrantee upon denial of a request for relief. FTA shall notify the grantee or subgrantee if FTA plans to reconsider a decision.

Pursuant to FTA's Charter Rule at 49 CFR 604.2(f), grantees and subgrantees may assist with evacuations or other movement of people that might otherwise be considered charter transportation when that transportation is in response to an emergency declared by the President, governor or mayor, or in an emergency requiring immediate action prior to a formal declaration, even if a formal declaration of an emergency is not eventually made by the President, governor or mayor. Therefore, a request for relief is not necessary in order to provide this service. However, if the emergency lasts more than 45 calendar days and the grantee will continue to provide service that would otherwise be considered charter service, the grantee or subgrantee shall follow the procedures set out in this notice.

Issued in Washington, DC.

K. Jane Williams,

Acting Administrator.

[FR Doc. 2019-04110 Filed 3-6-19; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Summary of Fiscal Year 2018 Grants for Buses and Bus Facilities Infrastructure Investment Program Project Selections

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice; summary of project selections. Grants for Buses and Bus Facilities Infrastructure Investment Program.

SUMMARY: The U.S. Department of Transportation's (DOT) Federal Transit Administration (FTA) summarizes the allocation of \$366,162,440 to projects under the Fiscal Year (FY) 2018 Grants for Buses and Bus Facilities Infrastructure Investment Program (Bus Program) and provides administrative guidance on award management.

FOR FURTHER INFORMATION CONTACT: Successful applicants should contact the appropriate FTA Regional Office for information regarding applying for the funds or program-specific information. A list of Regional Offices can be found at www.fta.dot.gov. Unsuccessful applicants may contact Mark G. Bathrick, Office of Program Management at (202) 366-9955, email: Mark.Bathrick@dot.gov, to arrange a proposal debriefing within 30 days of this notice. A TDD is available at 1-800-877-8339 (TDD/FIRS).

SUPPLEMENTARY INFORMATION: The competitive funding allocations announced in this notice are authorized by Section 5339(b) of Title 49, United States Code. Federal public transportation law at 49 U.S.C. 5338(a)(2)(M) authorizes \$246,514,000 million for competitive allocations in FY 2018. The Consolidated Appropriations Act, 2018 appropriated an additional \$161,446,000 for the Bus Program for FY 2018. After the statutory set aside for oversight, \$366,293,150 was available for competitive grants under the Bus Program.

On June 21, 2018, FTA published a Notice of Funding Opportunity (NOFO) announcing the availability of \$366,293,150 in competitive funding under the Bus Program. These funds will provide financial assistance to states and eligible public agencies to replace, rehabilitate, purchase, or lease

buses, vans, and related equipment, and capital projects to rehabilitate, purchase, construct, or lease bus-related facilities. In response to the NOFO, FTA received 339 project proposals from 51 States and territories requesting approximately \$2 billion in Federal funds. Project proposals were evaluated based on each applicant’s responsiveness to the program evaluation criteria outlined in the NOFO.

Based on the criteria in the NOFO, FTA is funding 107 projects, as shown in Table 1, for a total of \$366,162,440. Recipients selected for competitive funding are required to work with their FTA Regional Office to submit a grant application in FTA’s Transit Award Management System (TrAMs) for the projects identified in the attached table. Grant applications must include only eligible activities applied for in the original project application. Funds must be used consistent with the competitive proposal and for the eligible capital purposes described in the NOFO.

In cases where the allocation amount is less than the proposer’s total requested amount, recipients are required to fund the scalable project option as described in the application. If the award amount does not correspond to the scalable option, the recipient should work with the Regional Office to reduce scope or scale the project such that a complete phase or project is accomplished. Recipients also may provide additional local funds to complete a proposed project. A discretionary project identification number has been assigned to each project for tracking purposes and must be used in the TrAMs application.

Selected projects are eligible to incur costs under pre-award authority no earlier than the date projects were

publicly announced, which was September 25, 2018. Pre-award authority does not guarantee that project expenses incurred prior to the award of a grant will be eligible for reimbursement, as eligibility for reimbursement is contingent upon other requirements, such as planning and environmental requirements, having been met. For more about FTA’s policy on pre-award authority, please see the *FTA Fiscal Year 2018 Apportionments, Allocations, and Program Information and Interim Guidance found in 83 FR 33018 (July 16, 2018)*. Post-award reporting requirements include submission of the Federal Financial Report and Milestone progress reports in TrAMs (see FTA.C.5010.1E). Recipients must comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out the project supported by the FTA grant. FTA emphasizes that recipients must follow all third-party procurement guidance as authorized by 49 U.S.C. 5325(a) and described in FTA.C.4220.1F. Funds allocated in this announcement must be obligated in a grant by September 30, 2021.

Technical Review and Evaluation Summary: FTA assessed all project proposals that were submitted under the FY 2018 Bus Program competition according to the following evaluation criteria. The specific metrics for each criterion were described in the June 21, 2018 NOFO:

1. Demonstration of Need
2. Demonstration of Benefits
3. Planning/Local Prioritization
4. Local Financial Commitment
5. Project Implementation Strategy
6. Technical, Legal, and Financial Capacity

For each project, a technical review panel assigned a rating of Highly Recommended, Recommended, or Not Recommended for each of the six criteria. The technical review panel then assigned an overall rating of Highly Recommended, Recommended, Not Recommended, or Ineligible to the project proposal.

Projects were assigned a final overall rating of Highly Recommended if they were rated Highly Recommended in at least four categories overall, with no Not Recommended ratings. Projects were assigned a final overall rating of Recommended if the project had three or more Recommended ratings and no Not Recommended ratings. Projects were assigned a rating of Not Recommended if they received a Not Recommended rating in any category. A summary of the overall scores is shown in the table below.

Overall Project Ratings (eligible submissions):

Highly Recommended	201
Recommended	74
Not Recommended	64
Total	339

As outlined in the NOFO, FTA made the final selections based on the technical ratings as well geographic diversity, Departmental objectives, and/or receipt of other recent competitive awards. As further outlined in the NOFO, in some cases, due to funding limitations, proposers that were selected for funding received less than the amount originally requested.

Issued in Washington, DC.

K. Jane Williams,
Acting Administrator.

TABLE 1—FY 18 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS

State	Applicant	Project ID	Project title	Funded amount	Overall rating
AK	Municipality of Anchorage	D2018–BUSC–132	The Municipality of Anchorage, Alaska will receive funding to implement a new Information Technology System (ITS) for the Public Transportation Department (PTD) in Anchorage, Alaska.	\$4,250,000	Recommended.
AL	Alabama A&M University	D2018–BUSC–133	The Alabama A&M University will receive funding to purchase electric buses, construct a bus storage facility, purchase and install bus shelters, and acquire ITS.	3,761,033	Highly Recommended.
AR	Ozark Regional Transit	D2018–BUSC–134	Ozark Regional Transit will receive funding to replace their Operations Center.	2,900,000	Highly Recommended.
AZ	City of Phoenix	D2018–BUSC–135	The City of Phoenix will receive funding to replace buses that have exceeded their useful life.	6,393,630	Highly Recommended.
CA	City of Fresno	D2018–BUSC–136	The City of Fresno will receive funding to rehabilitate the Fresno Area Express fixed route maintenance and operations facility.	1,004,973	Highly Recommended.
CA	City of Los Angeles, Department of Transportation.	D2018–BUSC–137	The City of Los Angeles, Department of Transportation will receive funding to help with the electrification of LADOT bus maintenance facilities to support an electric bus fleet.	3,215,977	Highly Recommended.
CA	City of Norwalk	D2018–BUSC–138	The City of Norwalk will receive funding to purchase zero emission buses, and chargers for expansion.	986,928	Highly Recommended.
CA	City of Roseville	D2018–BUSC–139	The City of Roseville will receive funding to replace commuter buses with zero-emission buses.	826,377	Highly Recommended.

TABLE 1—FY 18 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS—Continued

State	Applicant	Project ID	Project title	Funded amount	Overall rating
CA	City of Santa Rosa	D2018-BUSC-140	The City of Santa Rosa will receive funding to purchase zero emission buses.	1,780,133	Highly Recommended.
CA	City of Visalia	D2018-BUSC-141	City of Visalia will receive funding to purchase new buses.	569,595	Highly Recommended.
CA	Los Angeles County Metropolitan Transportation Authority.	D2018-BUSC-142	The Los Angeles County Metropolitan Transportation Authority will receive funding to replace diesel buses with CNG buses in Los Angeles County.	5,457,098	Highly Recommended.
CA	San Diego Metropolitan Transit System.	D2018-BUSC-143	The San Diego Metropolitan Transit System will receive funding to upgrade bus CAD/AVL and radio network hardware.	3,923,122	Highly Recommended.
CA	San Francisco Municipal Transportation Agency (SFMTA).	D2018-BUSC-144	The San Francisco Municipal Transportation Agency will receive funding to modernize the Woods Bus Maintenance Facility.	3,617,415	Highly Recommended.
CA	San Luis Obispo Regional Transit Authority.	D2018-BUSC-145	San Luis Obispo Region Transit Authority will receive funding for a new bus maintenance facility.	6,285,662	Highly Recommended.
CA	Victor Valley Transit Authority.	D2018-BUSC-146	Victor Valley Transit Authority will receive funding to replace CNG buses with electric buses.	867,007	Highly Recommended.
CA	State of California Department of Transportation.	D2018-BUSC-147	The State of California Department of Transportation will receive funding to replace and expand vehicles for accessible transportation services.	312,027	Highly Recommended.
CA	State of California Department of Transportation.	D2018-BUSC-148	The State of California Department of Transportation on behalf of Eastern Sierra Transit Authority will receive funding to build a new operations and administrative facility.	457,139	Highly Recommended.
CO	City of Fort Collins	D2018-BUSC-149	The City of Fort Collins will receive funding to replace and expand bus stops throughout the bus system.	1,520,344	Highly Recommended.
CO	Regional Transportation District.	D2018-BUSC-150	The Regional Transportation District will receive funding to purchase replacement buses.	7,497,000	Highly Recommended.
CO	Regional Transportation District.	D2018-BUSC-151	The Regional Transportation District will receive funding to replace roofs on existing maintenance facilities.	3,503,000	Highly Recommended.
CO	State of Colorado Department of Transportation.	D2018-BUSC-152	The State of Colorado on behalf of Durango Transit will receive funding to replace vehicles.	211,200	Highly Recommended.
CO	State of Colorado Department of Transportation.	D2018-BUSC-153	The State of Colorado on behalf of Roaring Fork Transportation Authority will receive funding to replace buses.	2,231,500	Highly Recommended.
CO	State of Colorado Department of Transportation.	D2018-BUSC-154	The State of Colorado on behalf of Steamboat Springs Transit will receive funding to replace buses.	536,000	Highly Recommended.
CO	Mesa County	D2018-BUSC-155	Mesa County on behalf of Grand Valley Transit will receive funding for bus replacements.	392,000	Highly Recommended.
CT	Connecticut Department of Transportation.	D2018-BUSC-156	The Connecticut Department of Transportation will receive funding to rehabilitate the Hartford maintenance facility.	7,000,000	Highly Recommended.
DC	Washington Metropolitan Area Transit Authority.	D2018-BUSC-157	The Washington Metropolitan Area Transit Authority will receive funding to replace CNG buses in the fleet.	4,250,000	Recommended.
DE	Delaware Transit Corporation.	D2018-BUSC-158	The Delaware Transit Corporation will receive funding to expand the New Castle County Bus Facility.	3,385,600	Recommended.
FL	Miami Dade County	D2018-BUSC-159	Miami Dade County will receive funding to replace diesel buses with CNG buses throughout the fleet.	11,000,000	Highly Recommended.
GA	Georgia Department of Transportation.	D2018-BUSC-160	The Georgia Department of Transportation on behalf of the City of Albany will receive funding to replace buses and fund a transit center.	4,250,000	Recommended.
IA	City of Dubuque	D2018-BUSC-161	The City of Dubuque will receive funding to purchase ADA vehicles and install a new farebox system.	1,939,672	Highly Recommended.
IA	Iowa Department of Transportation.	D2018-BUSC-162	The Iowa Department of Transportation will receive funding to replace rural buses throughout the State.	7,000,000	Highly Recommended.
ID	Idaho Transportation Department.	D2018-BUSC-163	The Idaho Transportation Department on behalf of the City of Driggs will receive funding to construct passenger shelters and bus pullouts.	192,000	Highly Recommended.
ID	Nez Perce Tribe	D2018-BUSC-164	The Nez Perce Tribe will receive funding to purchase new buses and install new bus bay doors on their facility.	96,300	Highly Recommended.
IL	Bloomington-Normal Public Transportation System.	D2018-BUSC-165	The Bloomington-Normal Public Transportation System will receive funding to purchase battery electric replacement buses.	6,000,000	Highly Recommended.
IL	City of Decatur	D2018-BUSC-166	The City of Decatur will receive funding to purchase new buses.	4,662,000	Highly Recommended.
IL	Illinois Department of Transportation.	D2018-BUSC-167	The Illinois Department of Transportation will receive funding for the Galesburg/Macomb Fixed Route Bus Replacement and Quincy Bus Facility Rehabilitation Projects.	2,285,000	Highly Recommended.
IN	South Bend Public Transportation Corporation.	D2018-BUSC-168	The South Bend Public Transportation Corporation will receive funding to replace buses that operate on their fixed route service.	4,910,748	Highly Recommended.

TABLE 1—FY 18 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS—Continued

State	Applicant	Project ID	Project title	Funded amount	Overall rating
IN	Bloomington Public Transportation Corporation.	D2018-BUSC-169	The Bloomington Public Transportation Corporation will receive funding to purchase new electric buses and associated charging infrastructure.	357,524	Highly Recommended.
KS	Topeka Metropolitan Transit Authority.	D2018-BUSC-170	The Topeka Metropolitan Transit Authority will receive funding to purchase new ITS equipment.	503,120	Recommended.
KY	Kentucky Transportation Cabinet.	D2018-BUSC-171	The Kentucky Transportation Cabinet will receive funds on behalf of 19 transit agencies to expand & replace vehicles, construct and renovate bus facilities, and purchase associated bus equipment.	7,000,000	Highly Recommended.
LA	New Orleans Regional Transit Authority.	D2018-BUSC-172	The New Orleans Regional Transit Authority will receive funding to expand their biodiesel bus fleet.	6,392,000	Highly Recommended.
MA	Pioneer Valley Transit Authority.	D2018-BUSC-173	The Pioneer Valley Transit Authority will receive funding to rehabilitate and convert their Fixed-Route Bus Maintenance Garage to a Paratransit Facility.	2,400,000	Highly Recommended.
MD	Montgomery County Government.	D2018-BUSC-174	Montgomery County will receive funding to replace diesel buses with electric buses.	4,365,000	Highly Recommended.
ME	City of Bangor	D2018-BUSC-175	The City of Bangor will receive funding to replace buses operating on the city's fixed route.	2,890,000	Highly Recommended.
ME	Maine Department of Transportation.	D2018-BUSC-176	The Maine Department of Transportation will receive funding to replace rural buses throughout the State.	2,201,370	Highly Recommended.
MI	Capital Area Transportation Authority.	D2018-BUSC-177	The Capital Area Transportation Authority will receive funding to replace buses throughout the fleet.	3,155,380	Highly Recommended.
MI	Central County Transportation Authority.	D2018-BUSC-178	The Central County Transportation Authority will receive funding to replace buses throughout the fleet.	2,808,797	Highly Recommended.
MI	City of Detroit Department of Transportation.	D2018-BUSC-179	The City of Detroit will receive funding to rehabilitate the Coolidge Terminal and Maintenance Facility.	9,536,038	Highly Recommended.
MI	Michigan Department of Transportation.	D2018-BUSC-180	The Michigan Department of Transportation will receive funding to replace vehicles for 47 rural agencies and provide expansion vehicles for five rural agencies.	9,536,038	Highly Recommended.
MI	Michigan Department of Transportation.	D2018-BUSC-181	The Michigan Department of Transportation will receive funding for replacement and expansion vehicles for three small urban transit agencies.	4,267,199	Highly Recommended.
MN	Metropolitan Council/Metro Transit.	D2018-BUSC-182	The Metropolitan Council/Metro Transit will receive funding to construct the new Heywood II Bus Garage (Minneapolis Bus Garage).	11,000,000	Highly Recommended.
MO	Missouri Department of Transportation.	D2018-BUSC-183	The Missouri Department of Transportation will receive funding to purchase transit buses and vans for rural public transportation, as well as, technological upgrades for new and existing vehicles.	5,630,565	Highly Recommended.
MP	Office of the Governor—COTA.	D2018-BUSC-184	The Office of the Governor of the Commonwealth of the Northern Mariana Islands, on behalf of the Commonwealth Office of Transit Authority (COTA) will receive funding to construct an administrative and maintenance facility, purchase buses for their new fixed route service, and construct bus shelters.	6,387,346	Highly Recommended.
MS	Mississippi Band of Choctaw Indians.	D2018-BUSC-185	The Mississippi Band of Choctaw Indians will receive funding to purchase replacement and expansions vehicles.	857,700	Highly Recommended.
MT	City of Billings	D2018-BUSC-186	The City of Billings will receive funding to purchase replacement buses and associated equipment.	1,360,000	Highly Recommended.
MT	Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation.	D2018-BUSC-187	The Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation will receive funding to construct a new transit facility.	2,765,664	Highly Recommended.
MT	Confederated Salish & Kootenai Tribes.	D2018-BUSC-188	The Confederated Salish & Kootenai Tribes will receive funding to purchase new ADA vehicles and bus shelters.	328,040	Highly Recommended.
NC	City of Charlotte	D2018-BUSC-189	The City of Charlotte will receive funding to purchase replacement buses.	5,932,800	Highly Recommended.
NC	City of Durham	D2018-BUSC-190	The City of Durham will receive funding to replace diesel buses with electric buses.	2,125,000	Highly Recommended.
ND	North Dakota Department of Transportation.	D2018-BUSC-191	The North Dakota Department of Transportation will receive funding to replace rural transit vehicles throughout the State.	3,772,000	Highly Recommended.
ND	City of Bismarck	D2018-BUSC-192	The City of Bismarck will receive funding to rehabilitate an existing bus facility.	96,000	Recommended.
NE	The Transit Authority of the City of Omaha d/b/a/ Metro.	D2018-BUSC-193	The Transit Authority of the City of Omaha will receive funding to purchase associated infrastructure for CNG and electric buses.	6,685,000	Highly Recommended.
NH	Manchester Transit Authority.	D2018-BUSC-194	The Manchester Transit Authority will receive funding to purchase replacement buses for their fleet.	934,723	Highly Recommended.
NJ	NJ Transit	D2018-BUSC-195	NJ Transit will receive funding to purchase bus lifts across the State.	7,000,000	Highly Recommended.

TABLE 1—FY 18 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS—Continued

State	Applicant	Project ID	Project title	Funded amount	Overall rating
NM	City of Las Cruces	D2018-BUSC-196	The City of Las Cruces will receive funding to construct a new transit maintenance and operations center.	11,000,000	Highly Recommended.
NV	Pyramid Lake Paiute Tribe.	D2018-BUSC-197	The Pyramid Lake Paiute Tribe will receive funding to purchase new buses and rehabilitate existing buses.	188,760	Highly Recommended.
NY	Capital District Transportation Authority.	D2018-BUSC-198	The Capital District Transportation Authority will receive funding to construct the River Corridor Bus Rapid Transit System (BRT), which includes the purchase of vehicles, construction of stops, and other associated improvements.	5,000,000	Highly Recommended.
NY	Niagara Frontier Transportation Authority.	D2018-BUSC-199	The Niagara Frontier Transportation Authority will receive funding to purchase CNG buses.	11,000,000	Highly Recommended.
NY	Rochester Genesee Regional Transportation Authority.	D2018-BUSC-200	The Rochester Genesee Regional Transportation Authority will receive funding to construct a new maintenance facility.	2,000,000	Highly Recommended.
OH	Greater Dayton Regional Transit Authority.	D2018-BUSC-201	Greater Dayton Regional Transit Authority will receive funding to replace diesel buses with electric buses.	5,725,000	Highly Recommended.
OH	Portage Area Regional Transportation Authority.	D2018-BUSC-202	The Portage Area Regional Transportation Authority will receive funding to make the bus wash system CNG compliant.	165,330	Highly Recommended.
OH	Southwest Ohio Regional Transit Authority (SORTA).	D2018-BUSC-203	The Southwest Ohio Regional Transit Authority (SORTA) will receive funding to rehabilitate the Silverton Access/"Fare Deal" Customer Facility.	180,000	Recommended.
OK	Oklahoma Department of Transportation.	D2018-BUSC-204	The Oklahoma Department of Transportation will receive funding to purchase replacement and expansion vehicles throughout the State.	3,874,200	Highly Recommended.
OK	Oklahoma Department of Transportation.	D2018-BUSC-205	The Oklahoma Department of Transportation will receive funding to rehabilitate rural bus facilities throughout the State.	407,596	Recommended.
OR	Oregon Department of Transportation.	D2018-BUSC-206	The Oregon Department of Transportation on behalf of Yamhill County Transit will receive funding to replace buses.	960,090	Highly Recommended.
OR	Oregon Department of Transportation.	D2018-BUSC-207	The Oregon Department of Transportation on behalf of Benton County will receive funding to purchase new ADA buses.	198,900	Highly Recommended.
OR	Oregon Department of Transportation.	D2018-BUSC-208	The Oregon Department of Transportation on behalf of Canby Area Transit will receive funding to replace buses.	352,000	Highly Recommended.
OR	Oregon Department of Transportation.	D2018-BUSC-209	The Oregon Department of Transportation on behalf of Curry County will receive funding to purchase a bus and a van.	131,000	Recommended.
OR	Oregon Department of Transportation.	D2018-BUSC-210	The Oregon Department of Transportation on behalf of Mid-Columbia Economic Development District (MCEDD) will receive funding to purchase a bus.	68,000	Recommended.
PA	Pennsylvania Department of Transportation.	D2018-BUSC-211	The Pennsylvania Department of Transportation will receive funding for the Pennsylvania Fixed Route Intelligent Transportation System (FRITS) Project.	7,000,000	Highly Recommended.
RI	Rhode Island Public Transit Authority.	D2018-BUSC-212	The Rhode Island Public Transit Authority will receive funding for the Chafee Maintenance Facility Modernization Project.	3,280,000	Recommended.
SC	Greenville Transit Authority.	D2018-BUSC-213	The Greenville Transit Authority (GTA) will receive funding for a new transit facility.	11,000,000	Highly Recommended.
SD	Oglala Sioux Tribe	D2018-BUSC-214	The Oglala Sioux Tribe will receive funding to purchase accessible transit vehicles equipped with ITS technology.	262,200	Highly Recommended.
SD	SD Department Of Transportation.	D2018-BUSC-215	The South Dakota Department of Transportation will receive funding for the Highmore Transit Facility.	400,000	Highly Recommended.
SD	SD Department Of Transportation.	D2018-BUSC-216	The South Dakota Department of Transportation will receive funding for the River Cities Public Transit Call Center.	160,000	Recommended.
SD	SD Department Of Transportation.	D2018-BUSC-217	The South Dakota Department of Transportation on behalf of Prairie Hill Transit and River Cities Transit will receive funding for snow removal equipment.	80,000	Recommended.
SD	SD Department Of Transportation.	D2018-BUSC-218	The South Dakota Department of Transportation will receive funding for the Yankton Transit Facility.	350,000	Recommended.
TN	Nashville Metropolitan Transit Authority.	D2018-BUSC-219	The Nashville Metropolitan Transit Authority will receive funding to replace buses throughout the fleet.	9,028,800	Highly Recommended.
TX	City of Wichita Falls	D2018-BUSC-220	The City of Wichita Falls will receive funding for a bus administrative and maintenance facility for the Wichita Falls Transit System and SHARP Lines Rural Transportation.	9,864,858	Highly Recommended.
TX	City Transit Management Company Inc. for City of Lubbock.	D2018-BUSC-221	The City Transit Management Company Inc. for City of Lubbock will receive funding for the purchase of new buses.	2,500,000	Highly Recommended.
TX	Lower Rio Grande Valley Development Council.	D2018-BUSC-222	The Lower Rio Grande Valley Development Council will receive funding for new bus passenger shelters.	661,342	Highly Recommended.

TABLE 1—FY 18 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS—Continued

State	Applicant	Project ID	Project title	Funded amount	Overall rating
TX	VIA Metropolitan Transit ..	D2018-BUSC-223	VIA Metropolitan Transit will receive funding for their paratransit operating and maintenance facility.	6,000,000	Highly Recommended.
TX	Texas Department of Transportation.	D2018-BUSC-224	The Texas Department of Transportation will receive funding to purchase buses for 35 rural transit providers throughout the State.	7,000,000	Highly Recommended.
UT	Utah Transit Authority	D2018-BUSC-225	The Utah Transit Authority will receive funding for the construction of the Depot District Clean Fuel Technology Center (DDTC).	11,000,000	Highly Recommended.
VT	Vermont Agency of Transportation.	D2018-BUSC-226	The Vermont Agency for Transportation will receive funding for the Bradford Vermont Public Transit Facility.	2,080,000	Highly Recommended.
WA	Intercity Transit	D2018-BUSC-227	Intercity Transit will receive funding for the Pattison Street Facility Renovation and Expansion Project—Phase II.	9,703,001	Highly Recommended.
WA	Sauk-Suiattle Indian Tribe	D2018-BUSC-228	The Sauk-Suiattle Indian Tribe will receive funding to purchase new buses and bus shelters.	170,000	Highly Recommended.
WA	Washington State Department of Transportation.	D2018-BUSC-229	The Washington State Department of Transportation on behalf of the Mason County Public Transportation Benefit Area will receive funding to purchase hybrid buses to replace diesel buses.	1,482,690	Highly Recommended.
WA	Kalispel Indian Community of the Kalispel Reservation.	D2018-BUSC-230	The Kalispel Indian Community of the Kalispel Reservation will receive funding to purchase an expansion bus.	115,960	Highly Recommended.
WA	Washington State Department of Transportation.	D2018-BUSC-231	The Washington State Department of Transportation will receive funding to deploy low emission vehicles in rural Columbia County.	176,000	Highly Recommended.
WA	Washington State Department of Transportation.	D2018-BUSC-232	The Washington State Department of Transportation will receive funding to deploy lower-emission propane powered vehicles in rural Island County.	940,430	Highly Recommended.
WI	City of Appleton, Valley Transit.	D2018-BUSC-233	The City of Appleton, Valley Transit will receive funding for their bus replacement project.	4,000,000	Highly Recommended.
WI	City of Janesville	D2018-BUSC-234	The City of Janesville will receive funding for the purchase of replacement buses.	2,000,000	Highly Recommended.
WI	Wisconsin Department of Transportation.	D2018-BUSC-235	The Wisconsin Department of Transportation (WisDOT) will receive funding to purchase new buses for rural transit providers across the State.	5,142,500	Highly Recommended.
WI	Menominee Indian Tribe of Wisconsin.	D2018-BUSC-236	The Menominee Indian Tribe of Wisconsin will receive funding to purchase new buses.	180,000	Recommended.
WV	West Virginia Division of Public Transit.	D2018-BUSC-237	The West Virginia Division of Public Transit will receive funding for rural buses.	182,400	Highly Recommended.
WY	Wyoming Department of Transportation.	D2018-BUSC-238	The Wyoming Department of Transportation will receive funding for the Sheridan, Wyoming Public Transportation Bus Replacement Project for Goose Creek Transit.	393,600	Highly Recommended.
Total .....	.....	.....	.....	366,162,440	

[FR Doc. 2019-04113 Filed 3-6-19; 8:45 am]

BILLING CODE P**DEPARTMENT OF TRANSPORTATION****Federal Transit Administration**

[FTA Docket No. FTA 2019-0003]

Agency Information Collection Activity Under OMB Review**AGENCY:** Federal Transit Administration, DOT.**ACTION:** Notice of request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to approve the extension of a currently approved information collection: Fixed Guideway Capital Investment Grants—New Starts Section 5309.

DATES: Comments must be submitted before May 6, 2019.**ADDRESSES:** To ensure that your comments are not entered more than once into the docket, submit comments identified by the docket number by only one of the following methods:1. *Website:* www.regulations.gov.

Follow the instructions for submitting comments on the U.S. Government electronic docket site. (**Note:** The U.S. Department of Transportation's (DOT's) electronic docket is no longer accepting electronic comments.) All electronic submissions must be made to the U.S. Government electronic docket site at www.regulations.gov. Commenters should follow the directions below for mailed and hand-delivered comments.

2. *Fax:* 202-366-7951.

3. *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue SE, Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

4. *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue SE, Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

Instructions: You must include the agency name and docket number for this notice at the beginning of your comments. Submit two copies of your comments if you submit them by mail. For confirmation that FTA has received your comments, include a self-addressed stamped postcard. Note that all comments received, including any personal information, will be posted and will be available to internet users, without change, to www.regulations.gov. You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000, (65 FR 19477), or you may visit www.regulations.gov. Docket: For access to the docket to read background

documents and comments received, go to www.regulations.gov at any time. Background documents and comments received may also be viewed at the U.S. Department of Transportation, 1200 New Jersey Avenue SE, Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: Elizabeth Day, Office of Planning & Environment (202) 366-5159 or email: Elizabeth.Day@dot.gov.

SUPPLEMENTARY INFORMATION: Interested parties are invited to send comments regarding any aspect of this information collection, including: (1) The necessity and utility of the information collection for the proper performance of the functions of the FTA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

Title: Fixed Guideway Capital Investment Grants—New Starts Section 5309

OMB Number: 2132-0561.

Background: The Federal Transit Administration (FTA) administers the discretionary Capital Investment Grants (CIG) grant program under 49 U.S.C. Section 5309 that provides funding for major transit capital investments including rapid rail, light rail, commuter rail, bus rapid transit, and ferries. Three types of eligible projects are outlined in law: Smaller scaled corridor-based transit capital projects known as “Small Starts”; new fixed guideway transit systems and extensions to existing fixed guideway systems known as “New Starts”; and projects to improve capacity at least 10 percent in existing fixed guideway corridors that are at capacity today or will be in five years, known as “Core Capacity”. The CIG program has a longstanding requirement that FTA evaluate proposed projects against a prescribed set of statutory criteria at specific points during the projects’ development including when they seek to enter a subsequent phase of the process or a construction grant agreement. In addition, FTA must report on its evaluations and ratings annually to Congress.

The current Federal Public Transportation Law, 49 U.S.C. 5309, has not changed the statutorily defined project justification and local financial commitment criteria that are the subject of this information collection. In addition, the statutorily required approval steps for projects seeking CIG funds have not changed. Thus, the requirements for project evaluation and data collection for these proposed projects are not new and are unchanged. In general, the information used by FTA for CIG project evaluation and rating should arise as a part of the normal project planning process.

FTA has been collecting project evaluation information from project sponsors under the existing OMB approval for this program (OMB No. 2132-0561).

Respondents: State and local government.

Estimated Annual Number of Respondents: 155 respondents.

Estimated Total Annual Burden: 68,840 hours.

Frequency: Annually.

William Hyre,
Deputy Associate Administrator for Administration.

[FR Doc. 2019-04111 Filed 3-6-19; 8:45 am]

BILLING CODE P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2019-0004]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel WAVE WALKER (49’ Motor Vessel); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirements of the coastwise trade laws to allow the carriage of no more than twelve passengers for hire on vessels, which are three years old or more. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 8, 2019.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2019-0004 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search

MARAD-2019-0004 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2019-0004, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel WAVE WALKER is:—*Intended Commercial Use of Vessel:*

“Partial day sightseeing charters within harbor or near coastal waters for 6 passengers or less.”

—*Geographic Region Including Base of Operations:* “Rhode Island, New Hampshire, Massachusetts, Maine” (Base of Operations: Block Island, RI)

—*Vessel Length and Type:* 49’ Motor Vessel

The complete application is available for review identified in the DOT docket as MARAD-2019-0004 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the vessel name, state the commenter’s interest in the waiver

application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary. There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2014-0004 or visit the Docket Management Facility (see **ADDRESSES** for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

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, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of

names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * *

Dated: March 4, 2019.

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2019-04106 Filed 3-6-19; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2019-0007]

Requested Administrative Waiver of the Coastwise Trade Laws: Vessel PEGGY DOLMA (36' Sail Boat); Invitation for Public Comments

AGENCY: Maritime Administration, DOT.

ACTION: Notice.

SUMMARY: The Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirements of the coastwise trade laws to allow the carriage of no more than twelve passengers for hire on vessels, which are three years old or more. A request for such a waiver has been received by MARAD. The vessel, and a brief description of the proposed service, is listed below.

DATES: Submit comments on or before April 8, 2019.

ADDRESSES: You may submit comments identified by DOT Docket Number MARAD-2019-0007 by any one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Search MARAD-2019-0007 and follow the instructions for submitting comments.

- *Mail or Hand Delivery:* Docket Management Facility is in the West Building, Ground Floor of the U.S. Department of Transportation. The Docket Management Facility location address is: U.S. Department of Transportation, MARAD-2019-0007, 1200 New Jersey Avenue SE, West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

Note: If you mail or hand-deliver your comments, we recommend that you

include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

Instructions: All submissions received must include the agency name and specific docket number. All comments received will be posted without change to the docket at www.regulations.gov, including any personal information provided. For detailed instructions on submitting comments, see the section entitled Public Participation.

FOR FURTHER INFORMATION CONTACT:

Bianca Carr, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE, Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email Bianca.carr@dot.gov.

SUPPLEMENTARY INFORMATION: As described by the applicant the intended service of the vessel PEGGY DOLMA is: —*Intended Commercial Use of Vessel:*

“OUPV Six Pack Charter”

—*Geographic Region Including Base of Operations:* “Washington State” (Base of Operations: Lopez Island Washington or Port Townsend Washington)

—*Vessel Length and Type:* 36' Sail Boat

The complete application is available for review identified in the DOT docket as MARAD-2019-0007 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the vessel name, state the commenter's interest in the waiver application, and address the waiver criteria given in section 388.4 of MARAD's regulations at 46 CFR part 388.

Public Participation

How do I submit comments?

Please submit your comments, including the attachments, following the instructions provided under the above heading entitled **ADDRESSES**. Be advised that it may take a few hours or even days for your comment to be reflected on the docket. In addition, your comments must be written in English. We encourage you to provide concise comments and you may attach additional documents as necessary.

There is no limit on the length of the attachments.

Where do I go to read public comments, and find supporting information?

Go to the docket online at <http://www.regulations.gov>, keyword search MARAD-2019-0007 or visit the Docket Management Facility (see ADDRESSES for hours of operation). We recommend that you periodically check the Docket for new submissions and supporting material.

Will my comments be made available to the public?

Yes. Be aware that your entire comment, including your personal identifying information, will be made publicly available.

May I submit comments confidentially?

If you wish to submit comments under a claim of confidentiality, you should submit three copies of your complete submission, including the information you claim to be confidential business information, to the Department of Transportation, Maritime Administration, Office of Legislation and Regulations, MAR-225, W24-220, 1200 New Jersey Avenue SE, Washington, DC 20590. Include a cover letter setting forth with specificity the basis for any such claim and, if possible, a summary of your submission that can be made available to the public.

Privacy Act

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, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

* * *

Dated: March 4, 2019.

By Order of the Maritime Administrator.

T. Mitchell Hudson, Jr.,

Secretary, Maritime Administration.

[FR Doc. 2019-04105 Filed 3-6-19; 8:45 am]

BILLING CODE 4910-81-P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket No. MARAD-2019-0011]

Deepwater Port License Application: SPOT Terminal Services LLC (SPOT)

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Notice of intent; Notice of public meeting; Request for comments.

SUMMARY: The U.S. Coast Guard (USCG), in coordination with the Maritime Administration (MARAD), will prepare an environmental impact statement (EIS) as part of the environmental review of the SPOT Terminal Services LLC (SPOT) deepwater port license application. The application proposes the ownership, construction, operation and eventual decommissioning of an offshore oil export deepwater port that would be located in Federal waters approximately 27.2 to 30.8 nautical miles off the coast of Brazoria County, Texas in a water depth of approximately 115 feet. The deepwater port would allow for the loading of Very Large Crude Carriers (VLCCs) and other sized crude oil cargo carriers via a single point mooring buoy system.

This Notice of Intent (NOI) requests public participation in the scoping process, provides information on how to participate, and announces an informational open house and public meeting in Lake Jackson, Texas. Pursuant to the criteria provided in the Deepwater Port Act of 1974, as amended, Texas is the designated Adjacent Coastal State for this application.

DATES: There will be one public scoping meeting held in connection with the SPOT deepwater port application. The meeting will be held in Lake Jackson, Texas, on March 20, 2019, from 6:00 p.m. to 8:00 p.m. The public meeting will be preceded by an informational open house from 4:00 p.m. to 5:30 p.m.

The public meeting may end later than the stated time, depending on the number of persons wishing to speak. Additionally, materials submitted in response to this request for comments on the SPOT deepwater port license application must reach the Federal Docket Management Facility as detailed below by Friday, April 5, 2019.

ADDRESSES: The open house and public meeting in Lake Jackson, Texas will be held at the Courtyard Lake Jackson, 159 State Highway 288, Lake Jackson, Texas, 77566, phone: (979) 297-7300, web address: [https://www.marriott.com/hotels/travel/ljncy-courtyard-lake-](https://www.marriott.com/hotels/travel/ljncy-courtyard-lake-jackson/)

[jackson/](https://www.marriott.com/hotels/travel/ljncy-courtyard-lake-jackson/). Free parking is available at the venue.

The public docket for the SPOT deepwater port license application is maintained by the U.S. Department of Transportation, Docket Management Facility, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

The license application is available for viewing at the [Regulations.gov](http://www.regulations.gov) website: <http://www.regulations.gov> under docket number MARAD-2019-0011.

We encourage you to submit comments electronically through the Federal eRulemaking Portal at <http://www.regulations.gov>. If you submit your comments electronically, it is not necessary to also submit a hard copy. If you cannot submit material using <http://www.regulations.gov>, please contact either Mr. Efrain Lopez, USCG, or Ms. Yvette M. Fields, MARAD, as listed in the following **FOR FURTHER INFORMATION CONTACT** section of this document, which also provides alternate instructions for submitting written comments. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted. Anonymous comments will be accepted. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. The Federal Docket Management Facility's telephone number is 202-366-9317 or 202-366-9826, the fax number is 202-493-2251.

FOR FURTHER INFORMATION CONTACT: Mr. Efrain Lopez, USCG, telephone: 202-372-1437, email: Efrain.Lopez1@uscg.mil, or Ms. Yvette M. Fields, MARAD, telephone: 202-366-0926, email: Yvette.Fields@dot.gov. For questions regarding viewing the Docket, call Docket Operations, telephone: 202-366-9317 or 202-366-9826.

SUPPLEMENTARY INFORMATION:

Public Meeting and Open House

We encourage you to attend the informational open house and public meeting to learn about, and comment on, the proposed deepwater port. You will have the opportunity to submit comments on the scope and significance of the issues related to the proposed deepwater port that should be addressed in the EIS.

Speaker registrations will be available at the door. Speakers at the public scoping meeting will be recognized in the following order: Elected officials, public agencies, individuals or groups in the sign-up order and then anyone else who wishes to speak.

In order to allow everyone a chance to speak at a public meeting, we may limit speaker time, extend the meeting hours, or both. You must identify yourself, and any organization you represent by name. Your remarks will be recorded and/or transcribed for inclusion in the public docket.

You may submit written material at the public meeting, either in place of, or in addition to, speaking. Written material should include your name and address and will be included in the public docket.

Public docket materials will be made available to the public on the Federal Docket Management Facility website (see **ADDRESSES**).

Our public meeting location is wheelchair-accessible and compliant with the Americans with Disabilities Act. If you plan to attend the open house or public meeting and need special assistance such as sign language interpretation, non-English language translator services or other reasonable accommodation, please notify the USCG or MARAD (see **FOR FURTHER INFORMATION CONTACT**) at least 5 business days in advance of the public meeting. Include your contact information as well as information about your specific needs.

Request for Comments

We request public comment on this proposal. The comments may relate to, but are not limited to, the environmental impact of the proposed action. All comments will be accepted. The public meeting is not the only opportunity you have to comment on the SPOT deepwater port license application. In addition to, or in place of, attending a meeting, you may submit comments directly to the Federal Docket Management Facility during the public comment period (see **DATES**). We will consider all comments and material received during the 30-day scoping period.

The license application, comments and associated documentation, as well as the draft and final EISs (when published), are available for viewing at the Federal Docket Management System (FDMS) website: <http://www.regulations.gov> under docket number MARAD-2019-0011.

Public comment submissions should include:

- Docket number MARAD-2019-0011.

- Your name and address.

Submit comments or material using only one of the following methods:

- Electronically (preferred for processing) to the Federal Docket Management System (FDMS) website:

<http://www.regulations.gov> under docket number MARAD-2019-0011.

- By mail to the Federal Docket Management Facility (MARAD-2019-0011), U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.

- By personal delivery to the room and address listed above between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays.

- By fax to the Federal Docket Management Facility at 202-493-2251.

Faxed, mailed or hand delivered submissions must be unbound, no larger than 8½ by 11 inches and suitable for copying and electronic scanning. The format of electronic submissions should also be no larger than 8½ by 11 inches. If you mail your submission and want to know when it reaches the Federal Docket Management Facility, please include a stamped, self-addressed postcard or envelope.

Regardless of the method used for submitting comments, all submissions will be posted, without change, to the FDMS website (<http://www.regulations.gov>) and will include any personal information you provide. Therefore, submitting this information to the docket makes it public. You may wish to read the Privacy and Use Notice that is available on the FDMS website and the Department of Transportation Privacy Act Notice that appeared in the **Federal Register** on April 11, 2000 (65 FR 19477), see Privacy Act. You may view docket submissions at the Federal Docket Management Facility or electronically on the FDMS website.

Background

Information about deepwater ports, the statutes, and regulations governing their licensing, including the application review process, and the receipt of the current application for the proposed SPOT deepwater port appears in the SPOT Notice of Application, March 4, 2019 edition of the **Federal Register**. The “Summary of the Application” from that publication is reprinted below for your convenience.

Consideration of a deepwater port license application includes review of the proposed deepwater port’s impact on the natural and human environment. For the proposed deepwater port, USCG and MARAD are the co-lead Federal agencies for determining the scope of this review, and in this case, it has been determined that review must include preparation of an EIS. This NOI is required by 40 CFR 1501.7. It briefly describes the proposed action, possible alternatives and our proposed scoping

process. You can address any questions about the proposed action, the scoping process or the EIS to the USCG or MARAD project managers identified in this notice (see **FOR FURTHER INFORMATION CONTACT**).

Proposed Action and Alternatives

The proposed action requiring environmental review is the Federal licensing of the proposed deepwater port described in “Summary of the Application” below. The alternatives to licensing the proposed port are: (1) Licensing with conditions (including conditions designed to mitigate environmental impact), (2) evaluation of deepwater port and onshore site/pipeline route alternatives or (3) denying the application, which for purposes of environmental review is the “no-action” alternative.

Scoping Process

Public scoping is an early and open process for identifying and determining the scope of issues to be addressed in the EIS. Scoping begins with this notice, continues through the public comment period (see **DATES**), and ends when USCG and MARAD have completed the following actions:

- Invites the participation of Federal, state, and local agencies, any affected Indian tribe, the applicant, in this case SPOT, and other interested persons;

- Determines the actions, alternatives and impacts described in 40 CFR 1508.25;

- Identifies and eliminates from detailed study, those issues that are not significant or that have been covered elsewhere;

- Identifies other relevant permitting, environmental review and consultation requirements;

- Indicates the relationship between timing of the environmental review and other aspects of the application process; and

- At its discretion, exercises the options provided in 40 CFR 1501.7(b).

Once the scoping process is complete, USCG and MARAD will prepare a draft EIS. When complete, MARAD will publish a **Federal Register** notice announcing public availability of the Draft EIS. (If you want that notice to be sent to you, please contact the USCG or MARAD project manager identified in **FOR FURTHER INFORMATION CONTACT**). You will have an opportunity to review and comment on the Draft EIS. The USCG, MARAD and other appropriate cooperating agencies will consider the received comments and then prepare the Final EIS. As with the Draft EIS, we will announce the availability of the Final EIS and give you an opportunity

for review and comment. The Act requires a final public hearing to be held in the Adjacent Coastal State. Its purpose is to receive comments on matters related to whether or not an operating license should be issued. The final public hearing will be held after the Final EIS is made available for public review and comment.

Summary of the Application

SPOT is proposing to construct, own, and operate a deepwater port terminal in the Gulf of Mexico to export domestically produced crude oil. Use of the deepwater port would include the loading of various grades of crude oil at flow rates of up to 85,000 barrels per hour (bph). The SPOT deepwater port would allow for up to two (2) very large crude carriers (VLCCs) or other crude oil carriers to moor at single point mooring (SPM) buoys and connect with the deepwater port via floating connecting crude oil hoses and a floating vapor recovery hose. The maximum frequency of loading VLCCs or other crude oil carriers would be 2 million barrels per day, 365 days per year.

The overall project would consist of offshore and marine components as well as onshore components as described below.

The SPOT deepwater port offshore and marine components would consist of the following:

- One (1) fixed offshore platform with eight (8) piles in Galveston Area Outer Continental Shelf lease block 463, approximately 27.2 to 30.8 nautical miles off the coast of Brazoria County, Texas in a water depth of approximately 115 feet. The fixed offshore platform would be comprised of four (4) decks including: A sump deck with shut-down valves and open drain sump; a cellar deck with pig launchers and receivers, generators, and three (3) vapor combustion units; a main deck with a lease automatic custody transfer (LACT) unit, oil displacement prover loop, living quarters, electrical and instrument building, and other ancillary equipment; and a laydown deck with a crane laydown area.
- Two (2) single point mooring buoys (SPMs), each having: Two (2) 24-inch inside diameter crude oil underbuoy hoses interconnecting with the crude oil pipeline end manifold (PLEM); two (2) 24-inch inside diameter floating crude oil hoses connecting the moored VLCC or other crude oil carrier for loading to the SPM buoy; one (1) 24-inch inside diameter vapor recovery underbuoy hose interconnecting with the vapor recovery PLEM; and one (1) 24-inch inside diameter floating vapor recovery hose to connect to the moored VLCC or

other crude oil carrier for loading. The floating hoses would be approximately 800 feet in length and rated for 300 psig (21-bar). Each floating hose would contain an additional 200 feet of 16-inch “tail hose” that is designed to be lifted and robust enough for hanging over the edge railing of the VLCC or other crude oil carrier. The underbuoy hoses would be approximately 160 feet in length and rated for 300 psig (21-bar).

- Four (4) PLEMS would provide the interconnection between the pipelines and the SPM buoys. Each SPM buoy would have two (2) PLEMs—one (1) PLEM for crude oil and one (1) PLEM for vapor recovery. Each crude oil loading PLEM would be supplied with crude oil by two (2) 30-inch outside diameter pipelines, each approximately 0.66 nautical miles in length. Each vapor recovery PLEM would route recovered vapor from the VLCC or other crude oil carrier through the PLEM to the three (3) vapor combustion units located on the platform topside via two (2) 16-inch outside diameter vapor recovery pipelines, each approximately 0.66 nautical miles in length.

- Two (2) co-located 36-inch outside diameter, 40.8-nautical mile long crude oil pipelines would be constructed from the shoreline crossing in Brazoria County, Texas, to the SPOT deepwater port for crude oil delivery. These pipelines, in conjunction with 12.2 statute miles of new-build onshore pipelines (described below), would connect the onshore crude oil storage facility and pumping station (Oyster Creek Terminal) to the offshore SPOT deepwater port. The crude oil would be metered at the offshore platform. Pipelines would be bi-directional for the purposes of maintenance, pigging, changing crude oil grades, or evacuating the pipeline with water.

The SPOT deepwater port onshore storage and supply components would consist of the following:

- New equipment and piping at the existing Enterprise Crude Houston (ECHO) Terminal to provide interconnectivity with the crude oil supply network for the SPOT Project. This would include the installation of four (4) booster pumps, one (1) measurement skid, and four (4) crude oil pumps.
- An interconnection between the existing Rancho II pipeline and the proposed ECHO to Oyster Creek pipeline consisting of a physical connection as well as ultrasonic measurement capability for pipeline volumetric balancing purposes.
- The proposed Oyster Creek Terminal located in Brazoria County, Texas, on approximately 140 acres of

land consisting of seven (7) aboveground storage tanks, each with a total storage capacity of 685,000 barrels (600,000 barrels working storage capacity), for a total onshore storage capacity of approximately 4.8 million barrels (4.2 million barrels working storage) of crude oil. The Oyster Creek Terminal also would include: Six (6) electric-driven mainline crude oil pumps; four (4) electric driven booster crude oil pumps—two (2) per pipeline to the SPOT deepwater port, working in parallel to move crude oil from the storage tanks through the measurement skids; two (2) crude oil pipeline pig launchers/receivers; one (1) crude oil pipeline pig receiver; two (2) measurement skids for measuring incoming crude oil—one (1) skid located at the incoming pipeline from the existing Enterprise Crude Houston (ECHO) Terminal, and one (1) skid installed and reserved for a future pipeline connection; two (2) measurement skids for measuring departing crude oil; three (3) vapor combustion units—two (2) permanent and one (1) portable; and ancillary facilities to include electrical substation, office, and warehouse buildings.

- Three onshore crude oil pipelines would be constructed onshore to support the SPOT deepwater port. These would include: One (1) 50.1 statute mile long 36-inch crude oil pipeline from the existing ECHO Terminal to the Oyster Creek Terminal. This pipeline would be located in Harris County and Brazoria County, Texas; two (2) 12.2 statute mile long, co-located 36-inch crude oil export pipelines from the Oyster Creek Terminal to the shore crossing where these would join the above described subsea pipelines supplying the SPOT deepwater port. These pipelines would be located in Brazoria County, Texas.

Privacy Act

DOT posts comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. To facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR § 1.93).

Dated: March 4, 2019.

By Order of the Maritime Administrator.
T. Mitchell Hudson, Jr.
Secretary, Maritime Administration.
[FR Doc. 2019-04101 Filed 3-6-19; 8:45 am]
BILLING CODE 4910-81-P



FEDERAL REGISTER

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Part II

The President

Executive Order 13860—Supporting the Transition of Active Duty Service Members and Military Veterans Into the Merchant Marine

Title 3—

Executive Order 13860 of March 4, 2019

The President

Supporting the Transition of Active Duty Service Members and Military Veterans Into the Merchant Marine

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to promote employment opportunities for United States military veterans while growing the cadre of trained United States mariners available to meet United States requirements for national and economic security, it is hereby ordered as follows:

Section 1. Policy. It is the policy of the United States to support practices and programs that ensure that members of the United States Armed Forces receive appropriate credit for their military training and experience, upon request, toward credentialing requirements as a merchant mariner. It is further the policy of the United States to establish and maintain an effective merchant marine program by providing sufficient support and resources to active duty and separating service members who pursue or possess merchant mariner credentials.

A robust merchant marine is vital to the national and economic security of the United States. Credentialed United States merchant mariners support domestic and international trade, are critical for strategic defensive and offensive military sealift operations, and bring added expertise to Federal vessel operations. Unfortunately, the United States faces a shortage of qualified merchant mariners. As our strategic competitors expand their global footprint, the United States must retain its ability to project and sustain forces globally. This capability requires a sufficient corps of credentialed merchant mariners available to crew the necessary sealift fleet. Attracting additional trained and credentialed mariners, particularly from active duty service members and military veterans, will support United States national security requirements and provide meaningful, well-paying jobs to United States veterans.

Sec. 2. Definition. For the purposes of this order, the term “applicable service” includes any of the “armed forces,” as that term is defined in section 101(a)(4)(A) of title 10, United States Code.

Sec. 3. Credentialing Support. (a) To support merchant mariner credentialing and the maintenance of such credentials, the Secretary of Defense and the Secretary of Homeland Security, with respect to the applicable services in their respective departments, and in coordination with one another and with the United States Committee on the Marine Transportation System, shall, consistent with applicable law:

(i) Within 1 year from the date of this order, identify all military training and experience within the applicable service that may qualify for merchant mariner credentialing, and submit a list of all identified military training and experience to the United States Coast Guard National Maritime Center for a determination of whether such training and experience counts for credentialing purposes;

(ii) With respect to National Maritime Center license evaluation, issuance, and examination, take all necessary and appropriate actions to provide for the waiver of fees for active duty service members, if a waiver is authorized and appropriate, and, if a waiver is not granted, take all necessary and appropriate actions to provide for the payment of fees for active duty service members by the applicable service to the fullest extent permitted by law;

(iii) Direct the applicable services to take all necessary and appropriate actions to pay for Transportation Worker Identification Credential cards for active duty service members pursuing or possessing a mariner credential;

(iv) Ensure that members of the applicable services who are to be discharged or released from active duty and who request certification or verification of sea service be provided such certification or verification no later than 1 month after discharge or release; and

(v) Ensure the applicable services have developed, or continue to operate, as appropriate, the online resource known as Credentialing Opportunities On-Line to support separating service members seeking information and assistance on merchant mariner credentialing.

(b) The United States Committee on the Marine Transportation System shall pursue innovative ways to support merchant mariner credentialing, including through continuation of the Military to Mariner Initiative as appropriate, and shall provide a yearly status report on its efforts under the provisions of this order to the President through the White House Office of Trade and Manufacturing Policy.

Sec. 4. General Provisions. (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,
March 4, 2019.

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